

**ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 1999 ASSEMBLY BILL 133**

1 **AN ACT relating to:** state finances and appropriations, constituting the
2 executive budget act of the 1999 legislature.

Analysis by the Legislative Reference Bureau

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 **SECTION 1b.** 1.13 of the statutes is created to read:

4 **1.13 Land use planning activities. (1)** In this section:

5 (a) “Local governmental unit” has the meaning given in s. 1.12 (1) (a).

6 (b) “State agency” has the meaning given in s. 1.12 (1) (b).

7 **(2)** Each state agency, where applicable and consistent with other laws, is
8 encouraged to design its programs, policies, infrastructure and investments of the
9 agency to reflect a balance between the mission of the agency and the following local,
10 comprehensive planning goals:

1 (a) Promotion of the redevelopment of lands with existing infrastructure and
2 public services and the maintenance and rehabilitation of existing residential,
3 commercial and industrial structures.

4 (b) Encouragement of neighborhood designs that support a range of
5 transportation choices.

6 (c) Protection of natural areas, including wetlands, wildlife habitats, lakes,
7 woodlands, open spaces and groundwater resources.

8 (d) Protection of economically productive areas, including farmland and
9 forests.

10 (e) Encouragement of land uses, densities and regulations that promote
11 efficient development patterns and relatively low municipal, state governmental
12 and utility costs.

13 (f) Preservation of cultural, historic and archaeological sites.

14 (g) Encouragement of coordination and cooperation among nearby units of
15 government.

16 (h) Building of community identity by revitalizing main streets and enforcing
17 design standards.

18 (i) Providing an adequate supply of affordable housing for individuals of all
19 income levels throughout each community.

20 (j) Providing adequate infrastructure and public services and an adequate
21 supply of developable land to meet existing and future market demand for
22 residential, commercial and industrial uses.

23 (k) Promoting the expansion or stabilization of the current economic base and
24 the creation of a range of employment opportunities at the state, regional and local
25 levels.

1 (L) Balancing individual property rights with community interests and goals.

2 (m) Planning and development of land uses that create or preserve varied and
3 unique urban and rural communities.

4 (n) Providing an integrated, efficient and economical transportation system
5 that affords mobility, convenience and safety and that meets the needs of all citizens,
6 including transit-dependent and disabled citizens.

7 **(3)** Each state agency shall ensure that, consistently with other laws, whenever
8 it administers a law under which a local governmental unit prepares a plan, the
9 actions of the local governmental unit under the plan are designed to further the
10 goals specified in sub. (2), to the extent practical.

11 **SECTION 1c.** 6.92 (intro.) of the statutes is renumbered 6.92 and amended to
12 read:

13 **6.92 Inspector making challenge.** Each inspector shall challenge for
14 cause any person offering to vote whom the inspector knows or suspects is not a
15 qualified elector. If a person is challenged as unqualified by an inspector, one of the
16 inspectors shall administer the following oath or affirmation to the person: “You do
17 solemnly swear (or affirm) that you will fully and truly answer all questions put to
18 you regarding your place of residence and qualifications as an elector of this
19 election”; and shall then ask ~~those of the following~~ questions which are appropriate
20 as determined by the board, by rule, to test the person’s qualifications:.

21 **SECTION 1g.** 6.92 (1) to (6) of the statutes are repealed.

22 **SECTION 1h.** 6.925 (intro.) of the statutes is renumbered 6.925 and amended
23 to read:

24 **6.925 Elector making challenge in person.** Any elector may challenge for
25 cause any person offering to vote whom the elector knows or suspects is not a

1 qualified elector. If a person is challenged as unqualified by an elector, one of the
2 inspectors may administer the oath or affirmation to the challenged elector under s.
3 6.92 and ask the challenged elector the questions under that section which are
4 appropriate to test the elector’s qualifications. In addition, one of the inspectors shall
5 administer the following oath or affirmation to the challenging elector: “You do
6 solemnly swear (or affirm) that you will fully and truly answer all questions put to
7 you regarding the challenged person’s place of residence and qualifications as an
8 elector of this election”; and shall then ask ~~those of the following~~ questions which are
9 appropriate as determined by the board, by rule, to test the qualifications of the
10 challenged elector.

11 **SECTION 1j.** 6.925 (1) to (6) of the statutes are repealed.

12 **SECTION 1js.** 13.093 (1) of the statutes is amended to read:

13 13.093 (1) All bills introduced in either house of the legislature for the
14 appropriation of money, providing for revenue or relating to taxation or that require
15 a correctional fiscal estimate under sub. (3) shall be referred to the joint committee
16 on finance before being passed.

17 **SECTION 1jt.** 13.093 (2) (c) of the statutes is repealed.

18 **SECTION 1ju.** 13.093 (3) and (4) of the statutes are created to read:

19 13.093 (3) (a) All bills introduced in either house of the legislature that create
20 a criminal offense for which a sentence to a state prison or a disposition of placement
21 in a juvenile correctional facility may be imposed, that increase the period of
22 imprisonment in a state prison or placement in a juvenile correctional facility for an
23 existing criminal offense, that require a person to be sentenced to imprisonment in
24 a state prison or a juvenile to be placed in a juvenile correctional facility, or that
25 otherwise affect a penalty provision that increases the statewide probation, parole

1 or extended supervision population shall incorporate a correctional fiscal estimate
2 before any vote is taken thereon by either house of the legislature, if the bill is not
3 referred to a standing committee, before any public hearing is held before a standing
4 committee or, if no public hearing is held, before any vote is taken by the standing
5 committee. The correctional fiscal estimate shall estimate the anticipated state
6 fiscal liability for correctional capital and operational costs under the bill including
7 a projection of such costs for the fiscal year in which the bill becomes effective and
8 the 9 succeeding fiscal years. Correctional fiscal estimates shall be prepared as
9 follows:

10 1. The departments or agencies required to prepare the correctional estimate
11 shall submit to the legislative fiscal bureau projections of the impact on statewide
12 probationer, prisoner, parolee, extended supervision and juvenile corrections
13 populations, an estimate of the fiscal impact of such population changes on state
14 expenditures and a statement of the methodologies and assumptions used in making
15 the population projections and estimates of fiscal impact. In preparing this
16 information, a department or agency may request information from other
17 departments or agencies. If a specific estimate cannot be determined, the
18 departments or agencies shall provide an estimated cost range. The departments or
19 agencies shall submit this information to the legislative fiscal bureau within 5
20 working days after the departments or agencies receive a copy of the bill.

21 2. The legislative fiscal bureau shall review the information received from the
22 departments or agencies under subd. 1. The legislative fiscal bureau shall consult
23 with the departments or agencies from which information was received under subd.
24 1. and the departments or agencies shall provide information as requested by the
25 legislative fiscal bureau as necessary to complete the review. Such review shall be

1 completed within 5 working days from the date the legislative fiscal bureau receives
2 the information under subd. 1.

3 3. The departments or agencies preparing information under subd. 1. shall
4 prepare a correctional fiscal estimate and submit it to the legislative reference
5 bureau and the legislative fiscal bureau within 3 working days after the date the
6 legislative fiscal bureau's review period under subd. 2. ends. If a department or
7 agency cannot make a specific estimate, the department or agency shall establish
8 assumptions, including population estimates, that allow a projection to be made and
9 provide an estimated cost range.

10 4. The legislative fiscal bureau shall prepare a statement of its review of the
11 correctional fiscal estimate and submit it to the legislative reference bureau within
12 2 working days after receiving the correctional fiscal estimate.

13 (b) The legislature shall reproduce and distribute correctional fiscal estimates
14 under par. (a) 3. and statements under par. (a) 4. in the same manner as it reproduces
15 and distributes amendments.

16 (c) The legislative reference bureau shall determine whether a bill draft
17 requires a correctional fiscal estimate. A bill draft that requires a correctional fiscal
18 estimate under this subsection shall have that requirement noted on its jacket when
19 the jacket is prepared. When a bill that requires a correctional fiscal estimate under
20 this subsection is introduced, the legislative reference bureau shall submit a copy of
21 the bill to the legislative fiscal bureau and the department of administration.

22 (4) Neither house of the legislature may vote on an amendment to the executive
23 budget bill or bills introduced under s. 16.47 if the amendment meets the criteria of
24 a bill that requires a correctional fiscal estimate under sub. (3) unless the only

1 provisions in the amendment are identical to the provisions of an introduced bill for
2 which the requirements under sub. (3) have been met.

3 **SECTION 1k.** 13.101 (4a) of the statutes is repealed.

4 **SECTION 1m.** 13.101 (4b) of the statutes is repealed.

5 **SECTION 1p.** 13.101 (4g) of the statutes is repealed.

6 **SECTION 1r.** 13.101 (4i) of the statutes is created to read:

7 13.101 **(4i)** (a) The department of natural resources and the department of
8 agriculture, trade and consumer protection shall present to the committee a schedule
9 for transferring funds from the appropriation account under s. 20.370 (6) (aa) to the
10 appropriation account under s. 20.115 (7) (c) or from the appropriation account under
11 s. 20.370 (6) (aq) to the appropriation account under s. 20.115 (7) (qd), or both, for the
12 purpose of providing funding under s. 92.14 (3) (a).

13 (b) The committee may transfer funds as provided in the schedule under par.
14 (a). If the committee transfers funds from the appropriation account under s. 20.370
15 (6) (aa) to the appropriation account under s. 20.115 (7) (c) in a fiscal year, the
16 amounts in the schedule under s. 20.005 for the appropriation under s. 20.370 (6) (aa)
17 for that fiscal year are decreased by the amount of the transfer. If the committee
18 transfers funds from the appropriation account under s. 20.370 (6) (aq) to the
19 appropriation account under s. 20.115 (7) (qd) in a fiscal year, the amounts in the
20 schedule under s. 20.005 for the appropriation under s. 20.370 (6) (aq) for that fiscal
21 year are decreased by the amount of the transfer and the amounts in the schedule
22 under s. 20.005 for the appropriation under s. 20.115 (7) (qd) for that fiscal year are
23 increased by the amount of the transfer.

24 **SECTION 1t.** 13.101 (11) of the statutes is amended to read:

1 13.101 (11) The committee may approve a clean water fund program interest
2 rate change as specified under s. 281.58 (12) (f), an urban storm water loan program
3 interest rate change as specified in s. 281.595 (11) (b) or a safe drinking water loan
4 program interest rate change as specified under s. 281.61 (11) (b).

5 **SECTION 1v.** 13.101 (15) of the statutes is created to read:

6 13.101 (15) Notwithstanding sub. (3) (a), if the department of administration
7 requests the joint committee on finance to supplement the appropriation under s.
8 20.505 (1) (ku) from the appropriation under s. 20.865 (4) (g), the committee may
9 supplement the appropriation by not more than \$500,000 in any fiscal year to provide
10 a grant to one or more eligible counties if the committee finds that the proposed
11 grantee or grantees are eligible to receive a grant under s. 16.18. Notwithstanding
12 sub. (3) (a), no finding of emergency is required for the committee to act in accordance
13 with this subsection.

14 **SECTION 2r.** 13.48 (7) of the statutes is amended to read:

15 13.48 (7) BIENNIAL RECOMMENDATIONS. The building commission shall prepare
16 and formally adopt recommendations for the long-range state building program on
17 a biennial basis. Unless a later date is requested by the building commission and
18 approved by the joint committee on finance, the building commission shall, no later
19 than the first Tuesday in April of each odd-numbered year, transmit its the report
20 prepared by the department of administration under s. 16.40 (20) and the
21 commission's recommendations for the succeeding fiscal biennium that require
22 legislative approval to the joint committee on finance in the form of proposed
23 legislation prepared in proper form.

24 **SECTION 2t.** 13.48 (15) of the statutes is amended to read:

1 **13.48 (15)** ACQUISITION OF LEASEHOLD INTERESTS. The Subject to the
2 requirements of s. 20.924 (1) (im) and (j), the building commission shall have the
3 authority to acquire leasehold interests in land and buildings where such authority
4 is not otherwise provided to an agency by law.

5 **SECTION 3d.** 13.48 (19) of the statutes is amended to read:

6 **13.48 (19)** ALTERNATIVES TO STATE CONSTRUCTION. Whenever the building
7 commission determines that the use of innovative types of design and construction
8 processes will make better use of the resources and technology available in the
9 building industry, the building commission may waive any or all of s. 16.855 if such
10 action is in the best interest of the state and if the waiver is accomplished through
11 formal action of the building commission. The Subject to the requirements of s.
12 20.924 (1) (j), the building commission may authorize the lease, lease purchase or
13 acquisition of such facilities constructed in the manner authorized by the building
14 commission. The building commission may also authorize the lease, lease purchase
15 or acquisition of existing facilities in lieu of state construction of any project
16 enumerated in the authorized state building program.

17 **SECTION 3g.** 13.48 (25t) of the statutes is created to read:

18 **13.48 (25t)** WISBUILD INITIATIVE. There is created a program, to be known as the
19 “Wisbuild initiative”, for the purpose of providing financial support for the
20 maintenance, repair and renovation of state–owned buildings. Funding may be
21 provided under the initiative for high priority, comprehensive building renovation
22 projects, as well as for the maintenance and repair of the exterior components of
23 buildings and, without limitation because of enumeration, systems such as
24 mechanical, electrical, plumbing and other building systems. Funding may also be
25 provided under the initiative for projects to remove barriers that reduce access to and

1 use of state facilities by persons with disabilities. The building commission shall
2 allocate available funding for the initiative. Projects funded as a part of the initiative
3 shall be financed from the appropriation under s. 20.866 (2) (z) or as otherwise
4 provided in the authorized state building program.

5 **SECTION 3gm.** 13.48 (26) of the statutes is amended to read:

6 **13.48 (26) ENVIRONMENTAL IMPROVEMENT ANNUAL FINANCE PLAN APPROVAL.** The
7 building commission shall review the versions of the biennial finance plan and any
8 amendments to the biennial finance plan submitted to it by the department of
9 natural resources and the department of administration under s. 281.59 (3) (bm) and
10 the recommendations of the joint committee on finance and the standing committees
11 to which the versions of the biennial finance plan and any amendments were
12 submitted under s. 281.59 (3) (bm). The building commission shall consider the
13 extent to which that version of the biennial finance plan that is updated to reflect the
14 adopted biennial budget act will maintain the funding for the clean water fund
15 program and the safe drinking water loan program, in the environmental
16 improvement fund, in perpetuity. The building commission shall consider the extent
17 to which the implementation of the clean water fund program, the safe drinking
18 water loan program, the urban storm water loan program and the land recycling loan
19 program, as set forth in the biennial finance plan updated to reflect the adopted
20 biennial budget act, implements legislative intent on the clean water fund program,
21 the safe drinking water loan program, the urban storm water loan program and the
22 +land recycling loan program. The building commission shall, no later than 60 days
23 after the date of enactment of the biennial budget act, either approve or disapprove
24 the biennial finance plan that is updated to reflect the adopted biennial budget act,
25 except that the building commission may not disapprove those amounts that the

1 legislature approves under s. 281.59 (3e) (a), (3m) (a) ~~and~~, (3s) (a) and (3v) (a). If the
2 building commission disapproves the version of the biennial finance plan that is
3 updated to reflect the adopted biennial budget act, it must notify the department of
4 natural resources and the department of administration of its reasons for
5 disapproving the plan, and those departments must revise that version of the
6 biennial finance plan and submit the revision to the building commission.

7 **SECTION 3h.** 13.48 (27) of the statutes is amended to read:

8 13.48 (27) LEASE OF CORRECTIONAL FACILITIES. The Subject to the requirements
9 of s. 20.924 (1) (im) and (j), the building commission may lease any facility for use of
10 the department of corrections as a part of the authorized state building program,
11 with an option to purchase the facility by the state. Any lease shall provide for the
12 facility to be constructed in accordance with requirements and specifications
13 approved by the department of administration and shall permit inspection of the site
14 and facility by agents of the department.

15 **SECTION 3hg.** 13.48 (30) of the statutes is created to read:

16 13.48 (30) AGENCY WORK PLANS FOR CAPITAL BUILDING MAINTENANCE. The building
17 commission shall review work plans of agencies for expenditure of capital building
18 maintenance moneys submitted under s. 16.857 (2) and may approve or disapprove
19 any plan or approve a plan with modifications.

20 **SECTION 3i.** 13.48 (32) of the statutes is created to read:

21 13.48 (32) DEBT INCREASE FOR CONSTRUCTION OF A DENTAL CLINIC AND EDUCATION
22 FACILITY AT MARQUETTE UNIVERSITY. (a) The legislature finds and determines that it
23 is in the public interest to promote the health and well-being of residents of this state
24 by ensuring the availability of a sufficient number of dentists to meet the needs of
25 residents of this state; it is in the public interest, advantage and welfare to ensure

1 the continued availability of dental education in this state; and Marquette
2 University operates the only dental school in this state. It is, therefore, the public
3 policy of this state to assist private institutions in this state, including Marquette
4 University, in the construction of facilities that will be used to provide dental
5 education.

6 (b) The building commission may authorize up to \$15,000,000 of general fund
7 supported borrowing to aid in the construction of a dental clinic and education
8 facility at Marquette University. The state funding commitment for the construction
9 of the facility shall be in the form of a construction grant to Marquette University.
10 Before approving any state funding commitment for such a facility and before
11 awarding the construction grant to Marquette University, the building commission
12 shall determine that all of the following conditions have been met:

13 1. Marquette University has secured additional funding commitments of at
14 least \$15,000,000 from nonstate revenue sources, the nonstate revenue sources are
15 reasonable and available and the total funding commitments of the state and the
16 nonstate sources will permit Marquette University to enter into contracts for the
17 construction of the dental clinic and education facility.

18 2. The dental clinic and education facility will not be used for the purpose of
19 devotional activities, religious worship or sectarian instruction.

20 3. No religious instruction shall be required as a condition for admission to, or
21 graduation from, the Marquette University School of Dentistry.

22 (c) If the building commission authorizes a construction grant to Marquette
23 University under par. (b), Marquette University shall provide the state with an
24 option to purchase the dental clinic and education facility under the following
25 conditions:

1 1. The option price shall be the appraised fair market value at the time that the
2 option is exercised, less a credit recognizing the amount of the state's construction
3 grant. The option shall be subject to any mortgage or other security interest of any
4 private lenders.

5 2. The option may be exercised only upon the occurrence of any of the following:

6 a. Suspension of operation of a program of dental education at Marquette
7 University or any successor organization.

8 b. Foreclosure of the mortgage by a private lender.

9 (d) If the state does not exercise the option to purchase the dental clinic and
10 education facility, and if the facility is sold to any 3rd party, any agreement to sell the
11 facility shall provide that the state has the right to receive an amount equal to the
12 construction grant under par. (b) from the net proceeds of any such sale after the
13 mortgage has been satisfied and all other secured debts have been paid. This right
14 shall be paramount to the right of Marquette University to the proceeds upon such
15 sale.

16 **SECTION 3im.** 13.48 (33) of the statutes is created to read:

17 13.48 (33) SWISS CULTURAL CENTER. (a) The building commission may authorize
18 up to \$1,000,000 in general fund supported borrowing to aid in the construction of
19 a Swiss cultural center in the village of New Glarus. The state funding commitment
20 under this paragraph shall be in the form of a grant to an organization known as the
21 Swiss Cultural Center. Before approving any such state funding commitment, the
22 building commission shall determine that the organization known as the Swiss
23 Cultural Center has secured additional funding at least equal to \$2,000,000 from
24 nonstate donations for the purpose of constructing a Swiss cultural center in the
25 village of New Glarus.

1 (b) If the building commission authorizes a grant to the organization known as
2 the Swiss Cultural Center under par. (a) and if, for any reason, the facility that is
3 constructed with funds from the grant is not used as a Swiss cultural center in the
4 village of New Glarus, the state shall retain an ownership interest in the facility
5 equal to the amount of the state's grant.

6 **SECTION 3ip.** 13.48 (34) of the statutes is created to read:

7 **13.48 (34) DEBT INCREASE FOR THE CONSTRUCTION OF A YOUTH ACTIVITIES CENTER**
8 **BY THE MILWAUKEE POLICE ATHLETIC LEAGUE.** (a) The legislature finds and determines
9 that preventing youth from engaging in delinquent behavior, encouraging positive
10 moral development in youth and providing youth with opportunities for positive
11 interaction with the police are statewide responsibilities of statewide dimension.
12 The legislature also finds and determines that the youth of the city of Milwaukee are
13 disproportionately represented in the state's juvenile correctional system and that,
14 because those youth are so disproportionately represented, the state has a specific
15 concern in preventing those youth from engaging in delinquent behavior,
16 encouraging positive moral development in those youth and providing those youth
17 with opportunities for positive interaction with the police. In addition, the
18 legislature finds and determines that the Milwaukee Police Athletic League
19 prevents that delinquent behavior, encourages that positive moral development and
20 provides those opportunities for positive interaction through the recreational,
21 educational, social and cultural activities that it provides for the youth of the greater
22 Milwaukee community. The legislature, therefore, finds and determines that
23 assisting the Milwaukee Police Athletic League in the construction of a youth
24 activities center at which the Milwaukee Police Athletic League will provide
25 recreational, educational, social and cultural activities for the youth of the greater

1 Milwaukee community under the supervision of volunteer police officers of the city
2 of Milwaukee will have a direct and immediate effect on that specific statewide
3 concern and on those state responsibilities of statewide dimension.

4 (b) The building commission may authorize up to \$1,000,000 in general fund
5 supported borrowing to aid in the construction of a youth activities center by the
6 Milwaukee Police Athletic League at the northeast corner of N. 24th Street and
7 Burleigh Street in the city of Milwaukee. The state funding commitment for the
8 construction of the center shall be in the form of a grant to the Milwaukee Police
9 Athletic League. Before approving any state funding commitment for the center, the
10 building commission shall determine that the Milwaukee Police Athletic League has
11 secured additional funding at least equal to \$4,074,000 from nonstate donations for
12 the purpose of constructing the youth activities center.

13 (c) If the building commission authorizes a grant to the Milwaukee Police
14 Athletic League under par. (b) and if, for any reason, the facility that is constructed
15 with funds from the grant is not used as a youth activities center, the state shall
16 retain an ownership interest in the facility equal to the amount of the state's grant.

17 **SECTION 3j.** 13.485 (2) of the statutes is amended to read:

18 13.485 (2) The building commission may, under s. ~~18.56 (5) and (9) (j)~~ ss. 18.561
19 and 18.562, deposit in a separate and distinct fund, outside the state treasury, in an
20 account maintained by a trustee, fees and charges derived from the facilities or from
21 agreements entered into under sub. (4). The fees and charges deposited are the
22 trustee's moneys in accordance with the agreement between this state and the
23 trustee or in accordance with the resolution pledging the fees and charges to the
24 repayment of revenue obligations issued under this section.

25 **SECTION 3jm.** 13.489 (1m) of the statutes is created to read:

1 **13.489 (1m)** APPROVAL OF COMMISSION REQUIRED FOR STUDY OF POTENTIAL MAJOR
2 HIGHWAY PROJECTS. (a) In this subsection:

3 1. “Environmental assessment” means an analysis of a proposed action to
4 determine whether the proposed action constitutes a major action significantly
5 affecting the human environment under s. 1.11 (2) (c).

6 2. “Environmental impact statement” means a detailed statement required
7 under s. 1.11 (2) (c).

8 3. “Major highway project” has the meaning given in s. 84.013 (1) (a).

9 (b) Not later than October 15 of each odd-numbered year, the department of
10 transportation shall provide to the commission a list of potential major highway
11 projects that the department has initially determined may be recommended under
12 par. (c) for approval to prepare an environmental impact statement or an
13 environmental assessment and a list of potential major highway projects that could
14 be studied for possible recommendation under sub. (4). The commission may conduct
15 public hearings on potential major highway projects identified by the department of
16 transportation or by the commission.

17 (c) Not later than March 15 of each even-numbered year, the department of
18 transportation shall report to the commission those potential major highway
19 projects that the department recommends be approved by the commission for
20 preparation of an environmental impact statement or an environmental assessment.

21 (d) Not later than April 15 of each even-numbered year, the commission shall
22 notify the department of those potential major highway projects that the commission
23 approves for preparation of an environmental impact statement or an environmental
24 assessment or shall notify the department that it does not approve any potential

1 major highway projects for preparation of an environmental impact statement or
2 environmental assessment.

3 (e) The department of transportation may not prepare an environmental
4 impact statement or an environmental assessment for a potential major highway
5 project unless the commission notifies the department under par. (d) that the project
6 is approved.

7 **SECTION 3k.** 13.62 (4m) of the statutes is created to read:

8 13.62 (4m) “Budget bill subject” means a subject specified by the board which
9 is included in the executive budget bill or bills introduced under s. 16.47.

10 **SECTION 3m.** 13.62 (8) of the statutes is amended to read:

11 13.62 (8) “Legislative action” means the development, drafting, introduction,
12 consideration, modification, adoption, rejection, review, enactment or defeat of any
13 bill, resolution, amendment, report, nomination, proposed administrative rule or
14 other matter by the legislature or by either house or any committee, subcommittee,
15 joint or select committee thereof, or by a legislator or employe of the legislature
16 acting in an official capacity. “Legislative action” also means the action of the
17 governor in approving or vetoing any bill or portion thereof, and the action of the
18 governor or any agency in the development of a proposal for introduction in the
19 legislature.

20 **SECTION 3mi.** 13.62 (8s) of the statutes is created to read:

21 13.62 (8s) “Legislative proposal” means a bill, resolution or joint resolution.

22 **SECTION 3mj.** 13.63 (1) (a) of the statutes is amended to read:

23 13.63 (1) (a) An application for a license to act as a lobbyist may be obtained
24 from and filed with the board. ~~An~~ Except as authorized under par. (am), an applicant
25 shall include his or her social security number on the application. The application

1 shall be signed, under the penalty for making false statements under s. 13.69 (6m),
2 by the lobbyist. Upon approval of the application and payment of the applicable
3 license fee under s. 13.75 (1) or (1m) to the board, the board shall issue a license which
4 entitles the licensee to practice lobbying on behalf of each registered principal who
5 or which has filed an authorization under s. 13.65 for that lobbyist and paid the
6 authorization fee under s. 13.75 (4). The license shall expire on December 31 of each
7 even-numbered year.

8 **SECTION 3mk.** 13.63 (1) (am) of the statutes is created to read:

9 13.63 (1) (am) If an individual who applies for a license under this section does
10 not have a social security number, the individual, as a condition of obtaining that
11 license, shall submit a statement made or subscribed under oath or affirmation to the
12 board that the individual does not have a social security number. The form of the
13 statement shall be prescribed by the department of workforce development. A
14 license issued in reliance upon a false statement submitted under this paragraph is
15 invalid.

16 **SECTION 3mL.** 13.63 (1) (b) of the statutes is amended to read:

17 13.63 (1) (b) The Except as provided under par. (am), the board shall not issue
18 a license to an applicant who does not provide his or her social security number. The
19 board shall not issue a license to an applicant or shall revoke any license issued to
20 a lobbyist if the department of revenue certifies to the board that the applicant or
21 lobbyist is liable for delinquent taxes under s. 73.0301. The board shall refuse to
22 issue a license or shall suspend any existing license for failure of an applicant or
23 licensee to pay court-ordered payments of child or family support, maintenance,
24 birth expenses, medical expenses or other expenses related to the support of a child
25 or former spouse or failure of an applicant or licensee to comply, after appropriate

1 notice, with a subpoena or warrant issued by the department of workforce
2 development or a county child support agency under s. 59.53 (5) and related to
3 paternity or child support proceedings, as provided in a memorandum of
4 understanding entered into under s. 49.857. No other application may be
5 disapproved by the board except an application for a license by a person who is
6 ineligible for licensure under this subsection or s. 13.69 (4) or an application by a
7 lobbyist whose license has been revoked under this subsection or s. 13.69 (7) and only
8 for the period of such ineligibility or revocation.

9 **SECTION 3mm.** 13.64 (1) (a) of the statutes is amended to read:

10 13.64 (1) (a) If the principal is an individual, the name and address of the
11 individual's employer, if any, or the individual's principal place of business if
12 self-employed, a description of the business activity in which the individual or the
13 individual's employer is engaged and, except as authorized in sub. (2m), the
14 individual's social security number.

15 **SECTION 3mn.** 13.64 (2) of the statutes is amended to read:

16 13.64 (2) The registration shall expire on December 31 of each even-numbered
17 year. The Except as provided in sub. (2m), the board shall refuse to accept a
18 registration statement filed by an individual who does not provide his or her social
19 security number. The board shall refuse to accept a registration statement filed by
20 an individual or shall suspend any existing registration of an individual for failure
21 of the individual or registrant to pay court-ordered payments of child or family
22 support, maintenance, birth expenses, medical expenses or other expenses related
23 to the support of a child or former spouse or failure of the individual or registrant to
24 comply, after appropriate notice, with a subpoena or warrant issued by the
25 department of workforce development or a county child support agency under s.

1 59.53 (5) and related to paternity or child support proceeding, as provided in a
2 memorandum of understanding entered into under s. 49.857. If all lobbying by or
3 on behalf of the principal which is not exempt under s. 13.621 ceases, the board shall
4 terminate the principal's registration and any authorizations under s. 13.65 as of the
5 day after the principal files a statement of cessation and expense statements under
6 s. 13.68 for the period covering all dates on which the principal was registered.
7 Refusal to accept a registration statement or suspension of an existing registration
8 pursuant to a memorandum of understanding under s. 49.857 is not subject to review
9 under ch. 227.

10 **SECTION 3mo.** 13.64 (2m) of the statutes is created to read:

11 13.64 (2m) If an individual who applies for registration under this section does
12 not have a social security number, the individual, as a condition of obtaining
13 registration, shall submit a statement made or subscribed under oath or affirmation
14 to the board that the individual does not have a social security number. The form of
15 the statement shall be prescribed by the department of workforce development. A
16 registration accepted in reliance upon a false statement submitted under this
17 subsection is invalid.

18 **SECTION 3n.** 13.67 of the statutes is amended to read:

19 **13.67 Identification of legislative and administrative proposals and**
20 **topics.** (1) Except as authorized under s. 13.621, no person may engage in lobbying
21 as a lobbyist on behalf of a principal and no principal may authorize a lobbyist to
22 engage in lobbying on its behalf unless the principal reports to the board, in such
23 manner as the board may prescribe, each bill or legislative proposal, budget bill
24 subject and proposed administrative rule number in connection with which the
25 principal has made or intends to make a lobbying communication or, if the lobbying

1 does not relate to a legislative proposal or proposed administrative rule that has been
2 numbered or a budget bill subject, each topic of a lobbying communication made or
3 intended to be made by the principal. A principal shall describe any topic of a
4 lobbying communication with reasonable specificity, sufficient to identify the subject
5 matter of the lobbying communication and whether the communication is an attempt
6 to influence legislative or administrative action, or both. The principal shall file the
7 report no later than the end of the 15th day after the date on which the principal
8 makes a lobbying communication with respect to a legislative proposal ~~or~~, proposed
9 administrative rule, budget bill subject or other topic not previously reported by the
10 principal under this section during the biennial period for which the principal is
11 registered. ~~With respect to a lobbying communication relating to the executive~~
12 ~~budget bill or bills introduced under s. 16.47, the principal shall further identify from~~
13 ~~among topics provided by the board the topic or topics of its lobbying~~
14 ~~communications, if any.~~ The report shall be made by a person who is identified by
15 the principal under s. 13.64 (1) (e).

16 **(2)** Any person who is not a principal may, upon payment of the fee prescribed
17 under s. 13.75 (5), register with the board an interest in any ~~bill or~~ legislative
18 proposal, proposed administrative rule, budget bill subject or other topic.

19 **SECTION 3o.** 13.68 (1) (bn) of the statutes is amended to read:

20 13.68 **(1)** (bn) For each ~~bill or~~ legislative proposal, proposed administrative
21 rule, budget bill subject or other topic that accounts for 10% or more of the principal's
22 time spent in lobbying during the reporting period, the principal's reasonable
23 estimate of the proportion of its time spent in lobbying associated with that ~~bill or~~
24 legislative proposal, proposed administrative rule. ~~With respect to the executive~~
25 ~~budget bill or bills introduced under s. 16.47, the principal shall further identify from~~

1 ~~topics provided by the board each topic that accounts for 10% or more of the~~
2 ~~principal's time spent in lobbying during the reporting period and the principal's~~
3 ~~reasonable estimate of the proportion of its time spent in lobbying associated with~~
4 ~~that topic, budget bill subject or other topic.~~

5 **SECTION 3p.** 13.685 (4) of the statutes is created to read:

6 13.685 (4) The board shall, by rule, define what constitutes a “topic” for
7 purposes of ss. 13.67 and 13.68 (1) (bn).

8 **SECTION 3q.** 13.75 (5) of the statutes is amended to read:

9 13.75 (5) Registering an interest in a ~~bill or~~ legislative proposal, proposed
10 administrative rule, budget bill subject or other topic under 13.67 (2), \$10.

11 **SECTION 4m.** 13.94 (1) (p) of the statutes is created to read:

12 13.94 (1) (p) No later than January 1, 2008, prepare a program evaluation
13 audit of the private employer health care coverage program established under subch.
14 X of ch. 40. The legislative audit bureau shall file a copy of the audit report under
15 this paragraph with the distributees specified in par. (b).

16 **SECTION 4r.** 13.94 (1) (p) of the statutes, as created by 1999 Wisconsin Act ...
17 (this act), section 4m, is repealed.

18 **SECTION 5.** 13.94 (4) (a) 1. of the statutes is amended to read:

19 13.94 (4) (a) 1. Every state department, board, examining board, affiliated
20 credentialing board, commission, independent agency, council or office in the
21 executive branch of state government; all bodies created by the legislature in the
22 legislative or judicial branch of state government; any public body corporate and
23 politic created by the legislature including specifically a professional baseball park
24 district and a family care district under s. 46.2895; every Wisconsin works agency
25 under subch. III of ch. 49; every provider of medical assistance under subch. IV of ch.

1 49; technical college district boards; development zones designated under s. 560.71;
2 every county department under s. 51.42 or 51.437; every nonprofit corporation or
3 cooperative to which moneys are specifically appropriated by state law; and every
4 corporation, institution, association or other organization which receives more than
5 50% of its annual budget from appropriations made by state law, including
6 subgrantee or subcontractor recipients of such funds.

7 **SECTION 6.** 13.94 (4) (b) of the statutes is amended to read:

8 13.94 (4) (b) In performing audits of family care districts under s. 46.2895,
9 Wisconsin works agencies under subch. III of ch. 49, providers of medical assistance
10 under subch. IV of ch. 49, corporations, institutions, associations, or other
11 organizations, and their subgrantees or subcontractors, the legislative audit bureau
12 shall audit only the records and operations of such providers and organizations
13 which pertain to the receipt, disbursement or other handling of appropriations made
14 by state law.

15 **SECTION 6g.** 13.94 (8) of the statutes is created to read:

16 13.94 (8) COUNTY AND MUNICIPAL BEST PRACTICES REVIEWS. (a) In this subsection,
17 “municipality” means a city, village or town.

18 (b) The state auditor shall undertake periodic reviews to:

19 1. Examine the procedures and practices used by counties and municipalities
20 to deliver governmental services.

21 2. Determine the methods of governmental service delivery.

22 3. Identify variations in costs and effectiveness of such services between
23 counties and municipalities.

24 4. Recommend practices to save money or provide more effective service
25 delivery.

1 (c) The state auditor shall determine the frequency, scope and subject of any
2 reviews conducted under par. (b).

3 (d) To assist the state auditor with the selection of county and municipal
4 practices to be reviewed by the auditor, the auditor shall establish an advisory
5 council consisting of the following members appointed by the auditor:

6 1. Two members chosen from among 6 names submitted by the Wisconsin
7 Counties Association.

8 2. One member chosen from among 3 names submitted by the League of
9 Wisconsin Municipalities.

10 3. One member chosen from among 3 names submitted by the Wisconsin
11 Alliance of Cities.

12 4. One member chosen from among 3 names submitted by the Wisconsin Towns
13 Association.

14 (e) The members of the council appointed under par. (d) shall serve without
15 compensation.

16 **SECTION 7m.** 14.035 of the statutes is renumbered 14.035 (1) and amended to
17 read:

18 14.035 (1) The Subject to sub. (2), the governor may, on behalf of this state,
19 enter into any compact that has been negotiated under 25 USC 2710 (d).

20 **SECTION 7n.** 14.035 (2) of the statutes is created to read:

21 14.035 (2) Before entering into any compact negotiated under sub. (1), the
22 governor shall submit the proposed compact to the legislature for approval. The
23 governor may not enter into any compact until the legislature approves the compact
24 by joint resolution. If the legislature does not approve without change the proposed
25 compact, the proposed compact shall be returned to the governor for renegotiation.

1 **SECTION 7q.** 14.037 of the statutes is created to read:

2 **14.037 Indian gaming on lands taken into trust after October 17, 1988.**

3 The governor may not concur with the determination of the U.S. secretary of the
4 interior, as described in 25 USC 2719 (b) (1) (A), that an Indian gaming
5 establishment proposed to be located on lands acquired by the U.S. secretary of the
6 interior in trust for the benefit of an Indian tribe after October 17, 1988, except an
7 Indian gaming establishment proposed to be located at Dairyland Greyhound Park,
8 would not be detrimental to the surrounding community unless the legislature
9 approves the proposed gaming establishment by joint resolution.

10 **SECTION 8.** 14.06 of the statutes is created to read:

11 **14.06 Gifts, grants and bequests.** The governor may accept gifts, grants and
12 bequests, and may expend the proceeds to carry out the purposes for which received.

13 **SECTION 11.** 14.18 of the statutes is created to read:

14 **14.18 Assistance from department of workforce development.** The
15 governor may enter into a cooperative arrangement with the department of
16 workforce development under which the department assists the governor in
17 providing temporary assistance for needy families under 42 USC 601 et. seq.

18 **SECTION 11ac.** 14.18 of the statutes, as created by 1999 Wisconsin Act (this
19 act), is repealed.

20 **SECTION 11d.** 14.20 (title) of the statutes is amended to read:

21 **14.20 (title) Literacy improvement aids.**

22 **SECTION 11g.** 14.20 (2) of the statutes is amended to read:

23 **14.20 (2)** From the ~~appropriation~~ appropriations under s. 20.525 (1) (f) and (kf),
24 the governor may provide a grant to any local governmental unit or nonprofit
25 organization for support of a literacy improvement program.

1 **SECTION 11n.** 14.20 (3) and (4) of the statutes are repealed.

2 **SECTION 11p.** 14.26 (7) of the statutes is created to read:

3 14.26 (7) Notwithstanding sub. (6), the secretary of administration may
4 expend from the appropriation under s. 20.505 (1) (s) for the payment of obligations
5 incurred by the Wisconsin sesquicentennial commission that remain unpaid as of the
6 effective date of this subsection [revisor inserts date].

7 **SECTION 12e.** 14.82 (1) (c) of the statutes is repealed.

8 **SECTION 12g.** 14.82 (1) (d) of the statutes is created to read:

9 14.82 (1) (d) Beginning on July 1, 1999, the total amount that may be expended
10 in a fiscal year from the appropriation account under s. 20.315 (1) (q) for the joint
11 Minnesota–Wisconsin boundary area commission may not exceed the total amount
12 expended by the state of Minnesota in the same fiscal year for the joint
13 Minnesota–Wisconsin boundary area commission.

14 **SECTION 12m.** 15.01 (4) of the statutes is amended to read:

15 15.01 (4) “Council” means a part–time body appointed to function on a
16 continuing basis for the study, and recommendation of solutions and policy
17 alternatives, of the problems arising in a specified functional area of state
18 government, except the Wisconsin land council has the powers specified in s. 16.965
19 (3) and (5) and the powers granted to agencies under ch. 227, the Milwaukee river
20 revitalization council has the powers and duties specified in s. 23.18, the council on
21 physical disabilities has the powers and duties specified in s. 46.29 (1) and (2), the
22 state council on alcohol and other drug abuse has the powers and duties specified in
23 s. 14.24 and, before January 1, 2001, the council on health care fraud and abuse has
24 the powers and duties specified in s. 146.36.

1 **SECTION 12n.** 15.01 (4) of the statutes, as affected by 1999 Wisconsin Act ...
2 (this act), is amended to read:

3 15.01 (4) “Council” means a part-time body appointed to function on a
4 continuing basis for the study, and recommendation of solutions and policy
5 alternatives, of the problems arising in a specified functional area of state
6 government, except the ~~Wisconsin land council has the powers specified in s. 16.965~~
7 ~~(3) and (5) and the powers granted to agencies under ch. 227, the Milwaukee river~~
8 ~~revitalization council has the powers and duties specified in s. 23.18, the council on~~
9 ~~physical disabilities has the powers and duties specified in s. 46.29 (1) and (2), the~~
10 ~~state council on alcohol and other drug abuse has the powers and duties specified in~~
11 ~~s. 14.24 and, before January 1, 2001, the council on health care fraud and abuse has~~
12 ~~the powers and duties specified in s. 146.36.~~

13 **SECTION 13m.** 15.03 of the statutes is amended to read:

14 **15.03 Attachment for limited purposes.** Any division, office, commission,
15 council or board attached under this section to a department or independent agency
16 or a specified division thereof shall be a distinct unit of that department, independent
17 agency or specified division. Any division, office, commission, council or board so
18 attached shall exercise its powers, duties and functions prescribed by law, including
19 rule making, licensing and regulation, and operational planning within the area of
20 program responsibility of the division, office, commission, council or board,
21 independently of the head of the department or independent agency, but budgeting,
22 program coordination and related management functions shall be performed under
23 the direction and supervision of the head of the department or independent agency,
24 except that with respect to the office of the commissioner of railroads, all personnel
25 and biennial budget requests by the office of the commissioner of railroads shall be

1 provided to the department of transportation as required under s. 189.02 (7) and
2 shall be processed and properly forwarded by the public service commission without
3 change except as requested and concurred in by the office of the commissioner of
4 railroads.

5 **SECTION 14g.** 15.07 (1) (a) 7. of the statutes is created to read:

6 15.07 (1) (a) 7. The members of the Milwaukee school construction board shall
7 be appointed as provided in s. 15.77.

8 **SECTION 14j.** 15.07 (1) (b) 19. of the statutes is repealed.

9 **SECTION 14p.** 15.07 (1) (b) 22. of the statutes is created to read:

10 15.07 (1) (b) 22. Private employer health care coverage board.

11 **SECTION 14r.** 15.07 (1) (b) 22. of the statutes, as created by 1999 Wisconsin Act
12 (this act), section 14p, is repealed.

13 **SECTION 15.** 15.07 (2) (k) of the statutes is created to read:

14 15.07 (2) (k) The governor shall serve as chairperson of the governor's
15 work-based learning board.

16 **SECTION 15m.** 15.07 (4) of the statutes is amended to read:

17 15.07 (4) QUORUM. A majority of the membership of a board constitutes a
18 quorum to do business and, unless a more restrictive provision is adopted by the
19 board, a majority of a quorum may act in any matter within the jurisdiction of the
20 board. This subsection does not apply to actions of the ethics board or the school
21 district boundary appeal board or the Milwaukee school construction board as
22 provided in ss. 15.77 (2), 19.47 (4) and 117.05 (2) (a).

23 **SECTION 25.** 15.105 (25) (intro.) of the statutes is amended to read:

24 15.105 (25) TECHNOLOGY FOR EDUCATIONAL ACHIEVEMENT IN WISCONSIN BOARD.
25 (intro.) There is created a technology for educational achievement in Wisconsin

1 board which is attached to the department of administration under s. 15.03. The
2 board shall consist of the state superintendent of public instruction or his or her
3 designee, the secretary of administration or his or her designee and the following
4 members appointed for 4–year terms:

5 **SECTION 28am.** 15.105 (27) of the statutes is created to read:

6 15.105 (27) CENSUS EDUCATION BOARD. There is created a census education
7 board which is attached to the department of administration under s. 15.03. The
8 board shall consist of 2 senators and 2 representatives to the assembly who shall be
9 appointed in the same manner as members of standing committees of the legislature
10 are appointed.

11 **SECTION 28an.** 15.105 (27) of the statutes, as created by 1999 Wisconsin Act
12 (this act), is repealed.

13 **SECTION 28at.** 15.107 (17) of the statutes is created to read:

14 15.107 (17) COUNCIL ON UTILITY PUBLIC BENEFITS. There is created a council on
15 utility public benefits that is attached to the department of administration under s.
16 15.03. The council shall consist of the following members appointed for 3–year
17 terms:

- 18 (a) Two members appointed by the governor.
19 (b) Two members appointed by the senate majority leader.
20 (c) One member appointed by the senate minority leader.
21 (d) Two members appointed by the speaker of the assembly.
22 (e) One member appointed by the assembly minority leader.
23 (f) One member appointed by the secretary of natural resources.
24 (g) One member appointed by the secretary of administration.
25 (h) One member appointed by the chairperson of the public service commission.

1 **SECTION 28b.** 15.155 (2) (c) 1. of the statutes is repealed.

2 **SECTION 28d.** 15.155 (2) (c) 3. of the statutes is amended to read:

3 15.155 (2) (c) 3. ~~Six~~ Two members representing responsible units.

4 **SECTION 28f.** 15.155 (2) (c) 4. of the statutes is repealed and recreated to read:

5 15.155 (2) (c) 4. Two members representing businesses that market products
6 made from recycled materials, recover recyclable materials or develop markets for
7 products made from recycled materials.

8 **SECTION 28fc.** 15.165 (5) of the statutes is created to read:

9 15.165 (5) PRIVATE EMPLOYER HEALTH CARE COVERAGE BOARD. (a) There is created
10 in the department of employe trust funds a private employer health care coverage
11 board consisting of the secretary of employe trust funds or his or her designee, the
12 secretary of health and family services or his or her designee and the following
13 members appointed for 3–year terms:

14 1. One member who represents health maintenance organizations.

15 2. One member who represents hospitals.

16 3. One member who represents insurance agents, as defined in s. 628.02 (4).

17 4. Two members who are employes eligible to receive health care coverage
18 under subch. X of ch. 40 and whose employer employs not more than 50 employes.

19 5. One member who represents insurers.

20 6. Two members who are, or who represent, employers that employ not more
21 than 50 employes and who are eligible to offer health care coverage under subch. X
22 of ch. 40.

23 7. One member who is a physician, as defined in s. 448.01 (5).

24 8. Two members who represent the public interest.

1 (b) The secretary of employe trust funds or his or her designee and the secretary
2 of health and family services or his or her designee shall be nonvoting members.

3 **SECTION 28fd.** 15.165 (5) of the statutes, as created by 1999 Wisconsin Act
4 (this act), section 28c, is repealed.

5 **SECTION 30a.** 15.183 (2) of the statutes is amended to read:

6 15.183 (2) DIVISION OF SAVINGS AND ~~LOAN~~ INSTITUTIONS. There is created a
7 division of savings and ~~loan~~ institutions. Prior to July 1, 2000, the division is
8 attached to the department of financial institutions under s. 15.03. After
9 June 30, 2000, the division is created in the department of financial institutions.
10 The administrator of the division shall be appointed outside the classified service by
11 the secretary of financial institutions and shall serve at the pleasure of the secretary.

12 **SECTION 30d.** 15.195 (1) of the statutes is created to read:

13 15.195 (1) TOBACCO CONTROL BOARD. (a) There is created a tobacco control board
14 attached to the department of health and family services under s. 15.03, except that
15 the secretary of health and family services shall submit to the department of
16 administration the proposed budget of the board exactly as prepared by the board to
17 the extent that it comports with the requirements of the department of
18 administration. The tobacco control board shall consist of the following members:

19 1. The attorney general or his or her designee.

20 2. One majority party senator, one minority party senator, one majority party
21 representative to the assembly and one minority party representative to the
22 assembly, appointed as are the members of standing committees in their respective
23 houses.

24 3. The secretary of health and family services or his or her designee.

25 4. The superintendent of public instruction.

1 5. One physician with expertise in oncology, cardiovascular disease, smoking
2 cessation or public health.

3 6. One student from the University of Wisconsin System.

4 7. Two high school students, including at least one minority student, as defined
5 in s. 39.40 (1).

6 8. Five representatives of organizations that have as their primary
7 organizational mission reducing the health or economic consequences of tobacco use
8 or ameliorating the effects of tobacco use and reducing the incidence of particular
9 diseases or health conditions associated with tobacco use.

10 9. One local health officer.

11 10. One person who is a minority group member, as defined in s. 560.036 (1)
12 (f).

13 11. One retailer who sells tobacco products.

14 12. One representative of a hospital.

15 (b) The members specified in par. (a) 5. to 12. shall be appointed for 3–year
16 terms, except that if a student member appointed under par. (a) 6. or 7. loses the
17 status upon which the appointment was based, he or she shall cease to be a member
18 of the tobacco control board.

19 (c) The board shall meet at least 4 times per year. Ten members constitute a
20 quorum. For the purpose of conducting business and exercising its powers, a
21 majority vote of the members of the board is required.

22 **SECTION 30g.** 15.195 (6) of the statutes is amended to read:

23 15.195 (6) BOARD ON HEALTH CARE INFORMATION. There is created a board on
24 health care information which is attached to the department of health and family
25 services under s. 15.03. The board shall consist of 11 members, one of whom shall

1 be a record administrator, registered by the American Medical Record Association,
2 and; at least 2 of whom shall be employer purchasers of health care; and 5 of whom
3 shall be or represent health care providers, including one registered nurse, licensed
4 under s. 441.06, and 2 physicians, as defined in s. 448.01 (5), and 2 representatives
5 of hospitals, as defined in s. 50.33 (2). The State Medical Society of Wisconsin may
6 recommend board membership for 5 physicians, one of whom the governor shall
7 appoint. The members shall be appointed for 4-year terms.

8 **SECTION 30r.** 15.195 (9) of the statutes is created to read:

9 15.195 (9) INDEPENDENT REVIEW BOARD. There is created an independent review
10 board that is attached to the department of health and family services under s. 15.03.
11 The board may not include an employe of the department of health and family
12 services and shall consist of the commissioner of insurance or his or her designee and
13 the following members appointed for 4-year terms:

14 (a) A statistician or researcher.

15 (b) A medical ethicist of the University of Wisconsin System or the Medical
16 College of Wisconsin.

17 (c) An expert in issues relating to privacy.

18 (d) A purchaser of health care.

19 **SECTION 31.** 15.197 (5) of the statutes is created to read:

20 15.197 (5) COUNCIL ON LONG-TERM CARE. There is created in the department of
21 health and family services a council on long-term care, which shall consist of 15
22 members. The governor shall designate the chairperson of the council on long-term
23 care.

24 **SECTION 32.** 15.197 (5) of the statutes, as created by 1999 Wisconsin Act (this
25 act), is repealed.

1 **SECTION 34.** 15.197 (25) (c) of the statutes is amended to read:

2 15.197 (25) (c) This subsection does not apply beginning on July 1, ~~2001~~ 2002.

3 **SECTION 34b.** 15.197 (26) of the statutes is created to read:

4 15.197 (26) SUPPLEMENTAL FOOD PROGRAM FOR WOMEN, INFANTS AND CHILDREN
5 COUNCIL. (a) There is created in the department of health and family services a
6 supplemental food program for women, infants and children council. The council
7 shall consist of the following members:

8 1. One representative of independent retail grocery stores.

9 2. One representative of the food industry warehouse distribution system.

10 3. One representative of convenience stores.

11 4. One representative of pharmacies.

12 5. One representative of financial institutions.

13 6. Two participants in the supplemental food program for women, infants and
14 children.

15 7. The secretary of health and family services or his or her designee.

16 8. One representative of a community-based hunger prevention program in the
17 city of Milwaukee.

18 (b) The member under par. (a) 7. may not serve as the chairperson of the council.

19 (c) The council shall meet at least 4 times per year.

20 (d) This subsection does not apply beginning on January 1, 2002.

21 **SECTION 35.** 15.223 (2) of the statutes is repealed.

22 **SECTION 36.** 15.223 (3) of the statutes is created to read:

23 15.223 (3) DIVISION OF WORKFORCE EXCELLENCE. There is created in the
24 department of workforce development a division of workforce excellence.

25 **SECTION 36r.** 15.225 (2) (b) of the statutes is amended to read:

1 15.225 (2) (b) *Membership*. The Wisconsin conservation corps board consists
2 of 7 members appointed by the governor from various areas of the state in a manner
3 designed to provide regional, environmental and agricultural representation. One
4 member of the board shall be a member of ~~an area private industry council~~ a local
5 workforce development board established under ~~the job training partnership act, 29~~
6 ~~USC 1501 to 1781~~ 29 USC 2832.

7 **SECTION 37.** 15.225 (3) of the statutes is created to read:

8 15.225 (3) GOVERNOR'S WORK-BASED LEARNING BOARD. (a) There is created a
9 governor's work-based learning board which is attached to the department of
10 workforce development under s. 15.03.

11 (b) The governor's work-based learning board shall consist of the following
12 members:

13 1. The governor.

14 2. The state superintendent of public instruction.

15 3. The president of the technical college system board.

16 4. The director of the technical college system board.

17 5. The secretary of workforce development.

18 6. The administrator of the division of workforce excellence in the department
19 of workforce development.

20 6g. One member who is a representative of organized labor and one member
21 who is a representative of business and industry, appointed as are the members of
22 assembly standing committees.

23 6m. One member who is a representative of organized labor and one member
24 who is a representative of business and industry, appointed as are the members of
25 senate standing committees.

1 7g. Two members who are representatives of organized labor, appointed by the
2 governor to serve at the pleasure of the governor.

3 8g. Two members who are representatives of business and industry, appointed
4 by the governor to serve at the pleasure of the governor.

5 8m. Two members having experience in secondary vocational education and
6 work-based learning who are not public officers and who do not possess the
7 qualifications of the members under subds. 6g., 6m., 7g. and 8g. appointed by the
8 governor to serve at the pleasure of the governor.

9 9. One member, who is not a public officer and who does not possess the
10 qualifications of the members under subds. 6g., 6m., 7g. and 8g., to represent the
11 interests of the public, appointed by the governor to serve at the pleasure of the
12 governor.

13 **SECTION 37g.** 15.227 (24) of the statutes is repealed.

14 **SECTION 37h.** 15.343 of the statutes is created to read:

15 **15.343 Same; specified divisions. (1) DIVISION OF FORESTRY.** There is created
16 in the department of natural resources a division of forestry.

17 **SECTION 37j.** 15.377 (1) of the statutes is repealed and recreated to read:

18 15.377 **(1) BLIND AND VISUAL IMPAIRMENT EDUCATION COUNCIL.** (a) *Definition.* In
19 this subsection, “visually impaired” has the meaning given in s. 115.51 (4).

20 (b) *Creation.* There is created a blind and visual impairment education council
21 in the department of public instruction.

22 (c) *Members.* The blind and visual impairment education council shall consist
23 of the following members, at least one of whom has been certified by the library of
24 congress as a braille transcriber, appointed by the state superintendent for 3-year
25 terms:

- 1 1. Three parents of children who are visually impaired.
- 2 2. Three persons who are members of an organization affiliated with persons
- 3 who are visually impaired.
- 4 3. Three licensed teachers, one of whom is a teacher of the visually impaired,
- 5 one of whom is an orientation and mobility teacher and one of whom is a general
- 6 education teacher.
- 7 4. One school board member.
- 8 5. One school district administrator.
- 9 6. One school district special education director.
- 10 7. One cooperative educational service agency representative.
- 11 8. One person who has experience in educating the visually impaired or in
- 12 educating teachers of the visually impaired and is affiliated with an institution of
- 13 higher education.
- 14 9. Three other members, at least one of whom is visually impaired.

15 **SECTION 37k.** 15.406 (4) of the statutes is created to read:

16 **15.406 (4) ATHLETIC TRAINERS AFFILIATED CREDENTIALING BOARD.** There is created

17 in the department of regulation and licensing, attached to the medical examining

18 board, an athletic trainers affiliated credentialing board consisting of the following

19 members appointed for 4-year terms:

20 (a) Four athletic trainers who are licensed under subch. VI of ch. 448 and who

21 have not been issued a credential in athletic training by a governmental authority

22 in a jurisdiction outside this state. One of the athletic trainer members may also be

23 licensed under ch. 446 or 447 or subch. II, III or IV of ch. 448.

24 (b) One member who is licensed to practice medicine and surgery under subch.

25 II of ch. 448 and who has experience with athletic training and sports medicine.

1 (c) One public member.

2 **SECTION 40g.** 15.675 of the statutes is renumbered 15.495 and amended to
3 read:

4 **15.495 Same; attached board. (1)** EDUCATIONAL APPROVAL BOARD. There is
5 created an educational approval board which is attached to the ~~higher-educational~~
6 ~~aids board~~ department of veterans affairs under s. 15.03. The board shall consist of
7 not more than 7 members, who shall be representatives of state agencies and other
8 persons with a demonstrated interest in educational programs, appointed to serve
9 at the pleasure of the governor.

10 **SECTION 40k.** 15.77 of the statutes is created to read:

11 **15.77 Milwaukee school construction board. (1)** There is created a
12 Milwaukee school construction board consisting of all of the following:

13 (a) One senator and one representative to the assembly appointed as are the
14 members of standing committees in their respective houses.

15 (b) One person appointed by the mayor of the city of Milwaukee.

16 (c) One person appointed by the governor.

17 **(2)** Any action of the Milwaukee school construction board requires the
18 affirmative vote of 3 of its members.

19 **(3)** The Milwaukee school construction board does not have rule-making
20 authority.

21 **(4)** The board of school directors of the school district operating under ch. 119
22 shall assist the Milwaukee school construction board in the performance of its duties.

23 **(5)** This section does not apply after the first day of the 60th month beginning
24 after the effective date of this subsection [revisor inserts date].

25 **SECTION 40r.** 16.004 (13) of the statutes is created to read:

1 **16.004 (13)** UNFUNDED PRIOR SERVICE FOR ASSISTANT DISTRICT ATTORNEYS.
2 Beginning in the 1999–2000 fiscal year and ending in the 2003–04 fiscal year, the
3 department shall pay \$80,000 in each fiscal year from the appropriation account
4 under s. 20.475 (1) (d) toward the department’s unfunded prior service liability under
5 the Wisconsin retirement system that results from granting the creditable service
6 under s. 40.02 (17) (gm).

7 **SECTION 40t.** 16.004 (14) of the statutes is created to read:

8 **16.004 (14)** GRANTS TO TECHNICAL COLLEGES. From the appropriation under s.
9 20.505 (4) (e), the secretary shall award grants to technical college district boards to
10 develop or expand programs in occupational areas in which there is a high demand
11 for workers, and to make capital expenditures that are necessary for such
12 development or expansion, as determined by the secretary. The department shall
13 promulgate rules establishing criteria for judging grant applications.

14 **SECTION 41.** 16.009 (2) (p) of the statutes is created to read:

15 **16.009 (2) (p)** Contract with one or more organizations to provide advocacy
16 services to potential or actual recipients of the family care benefit, as defined in s.
17 46.2805 (4), or their families or guardians. The board and contract organizations
18 under this paragraph shall assist these persons in protecting their rights under all
19 applicable federal statutes and regulations and state statutes and rules. An
20 organization with which the board contracts for these services may not be a provider,
21 nor an affiliate of a provider, of long–term care services, a resource center under s.
22 46.283 or a care management organization under s. 46.284. For potential or actual
23 recipients of the family care benefit, advocacy services required under this
24 paragraph shall include all of the following:

1 1. Providing information, technical assistance and training about how to obtain
2 needed services or support items.

3 2. Providing advice and assistance in preparing and filing complaints,
4 grievances and appeals of complaints or grievances.

5 3. Providing negotiation and mediation.

6 4. Providing individual case advocacy assistance regarding the appropriate
7 interpretation of statutes, rules or regulations.

8 5. Providing individual case advocacy services in administrative hearings and
9 legal representation for judicial proceedings regarding family care services or
10 benefits.

11 **SECTION 42.** 16.0095 of the statutes is repealed.

12 **SECTION 43h.** 16.023 (1m) of the statutes is created to read:

13 16.023 **(1m)** (a) In this subsection:

14 1. “Land rights” means a holder’s nonpossessory interest in land that imposes
15 a limitation or affirmative obligation the purpose of which is to retain or protect
16 natural, scenic or open space values of land, assuring the availability of land for
17 agricultural, forest, wildlife habitat or open space use, protecting natural resources
18 or maintaining or enhancing air or water quality.

19 2. “Transaction” means a conveyance of land rights.

20 (b) Not later than January 1, 2000, the council shall develop and distribute a
21 form to each register of deeds that contains space for the following information:

22 1. The name and address of each party that is involved in a transaction.

23 2. The date of the transaction.

24 3. The approximate size of the parcel to which the land rights relate.

1 4. The approximate total size of the parcel of which the land rights constitute
2 a portion.

3 (c) For a transaction that is completed after June 30, 2000, a person who is a
4 party to a transaction, as a purchaser or purchaser’s agent or as a seller or seller’s
5 agent, shall prepare and sign the form described in par. (b). The person who prepares
6 and signs the form shall send one copy of the form to the council, which shall create
7 and maintain a directory for the forms.

8 **SECTION 43j.** 16.023 (3) of the statutes is amended to read:

9 16.023 (3) Subsections (1) and to (2) do not apply after August 31, 2003.

10 **SECTION 44.** 16.15 (4) of the statutes is repealed.

11 **SECTION 45m.** 16.18 of the statutes is created to read:

12 **16.18 Management assistance grants to certain counties. (1)** In this
13 section, “eligible county” means a county that has a geographic area of less than 400
14 square miles and that contains no incorporated municipal territory.

15 **(2)** An eligible county may apply to the department for a management
16 assistance grant annually in each state fiscal year for the purpose of assisting the
17 county in funding one or more of the following functions:

18 (a) Public security.

19 (b) Public health.

20 (c) Public infrastructure.

21 (d) Public employe training.

22 (e) Economic development.

23 **(3)** No eligible county may receive a grant under this section unless the county
24 maintains its financial records in accordance with accounting procedures
25 established by the department of revenue, and unless the county submits to the

1 department a detailed expenditure plan that identifies how the grant proceeds are
2 proposed to be expended and how the proposed expenditures will enable the county
3 to meet its goals for execution of the functions specified in sub. (2) for which the grant
4 is requested.

5 (4) The department shall make grants to eligible counties from the
6 appropriation under s. 20.505 (1) (ku).

7 (5) No county may receive a grant under this section in an amount exceeding
8 \$500,000 in any state fiscal year.

9 **SECTION 51m.** 16.23 of the statutes is repealed.

10 **SECTION 52.** 16.24 (title) and (1) of the statutes are renumbered 14.63 (title) and
11 (1), and 14.63 (1) (b), as renumbered, is amended to read:

12 14.63 (1) (b) “Institution of higher education” means a public or private
13 institution of higher education that is accredited by an accrediting association
14 recognized by the ~~department~~ state treasurer, and a proprietary school approved by
15 the educational approval board under s. ~~39.51~~ 45.54.

16 **SECTION 53.** 16.24 (2) of the statutes is renumbered 14.63 (2), and 14.63 (2)
17 (intro.) and (b), as renumbered, are amended to read:

18 14.63 (2) **WEIGHTED AVERAGE TUITION; TUITION UNIT COST.** (intro.) Annually, the
19 ~~department~~ state treasurer and the board jointly shall determine all of the following:

20 (b) The price of a tuition unit, which shall be valid for a period determined
21 jointly by the ~~department~~ state treasurer and the board. The price shall be sufficient
22 to ensure the ability of the ~~department~~ state treasurer to meet its his or her
23 obligations under this section. To the extent possible, the price shall be set so that
24 the value of the tuition unit in the anticipated academic year of its use will be equal

1 to 1% of the weighted average tuition for that academic year plus the costs of
2 administering the program under this section attributable to the unit.

3 **SECTION 54.** 16.24 (3) of the statutes is renumbered 14.63 (3), and 14.63 (3) (a)
4 (intro.) and (d), as renumbered, are amended to read:

5 14.63 (3) (a) (intro.) The ~~department~~ state treasurer shall contract with an
6 individual, a trust or a legal guardian for the sale of tuition units to that individual,
7 trust or legal guardian if all of the following apply:

8 (d) The ~~department~~ state treasurer shall promulgate rules authorizing a
9 person who has entered into a contract under this subsection to change the
10 beneficiary named in the contract.

11 **SECTION 55.** 16.24 (4) of the statutes is renumbered 14.63 (4) and amended to
12 read:

13 14.63 (4) NUMBER OF TUITION UNITS PURCHASED. A person who enters into a
14 contract under sub. (3) may purchase tuition units at any time and in any number,
15 except that the total number of tuition units purchased on behalf of a single
16 beneficiary may not exceed the number necessary to pay for 4 years of full-time
17 attendance, including mandatory student fees, as a resident undergraduate at the
18 institution within the University of Wisconsin System that has the highest resident
19 undergraduate tuition, as determined by the ~~department~~ state treasurer, in the
20 anticipated academic years of their use.

21 **SECTION 56.** 16.24 (5) of the statutes is renumbered 14.63 (5), and 14.63 (5) (a)
22 and (b) (intro.) and 2., as renumbered, are amended to read:

23 14.63 (5) (a) Except as provided in sub. (7m), if an individual named as
24 beneficiary in a contract under sub. (3) attends an institution of higher education in
25 the United States, each tuition unit purchased on his or her behalf entitles that

1 beneficiary to apply toward the payment of tuition and mandatory student fees at the
2 institution an amount equal to 1% of the anticipated weighted average tuition of
3 bachelor's degree-granting institutions within the University of Wisconsin System
4 for the year of attendance, as estimated under sub. (2) in the year in which the tuition
5 unit was purchased.

6 (b) (intro.) Upon request by the beneficiary, the department state treasurer
7 shall pay to the institution in each semester of attendance the lesser of the following:

8 2. An amount equal to the sum of the institution's tuition and mandatory
9 student fees for that semester.

10 **SECTION 57.** 16.24 (6) of the statutes is renumbered 14.63 (6), and 14.63 (6) (a)
11 5. and (b), as renumbered, are amended to read:

12 14.63 **(6)** (a) 5. Other circumstances determined by the department state
13 treasurer to be grounds for termination.

14 (b) The department state treasurer shall terminate a contract under sub. (3)
15 if any of the tuition units purchased under the contract remain unused 10 years after
16 the anticipated academic year of the beneficiary's initial enrollment in an institution
17 of higher education, as specified in the contract.

18 **SECTION 58.** 16.24 (7) of the statutes is renumbered 14.63 (7), and 14.63 (7) (a)
19 (intro.), 3., 4. and 5. and (b), as renumbered, are amended to read:

20 14.63 **(7)** (a) (intro.) Except as provided in sub. (7m), the department state
21 treasurer shall do all of the following:

22 3. If a contract is terminated under sub. (6) (a) 4. or (b), refund to the person
23 who entered into the contract an amount equal to 99% of the amount determined
24 under subd. 2. ~~If a contract is terminated under sub. (6) (a) 4., the department may~~

1 ~~not issue a refund for one year following receipt of the notice of termination and may~~
2 ~~not issue a refund of more than 100 tuition units in any year.~~

3 4. If a contract is terminated under sub. (6) (a) 5., refund to the person who
4 entered into the contract the amount under subd. 2. or under subd. 3., as determined
5 by the ~~department~~ state treasurer.

6 5. If the beneficiary is awarded a scholarship, tuition waiver or similar subsidy
7 that cannot be converted into cash by the beneficiary, refund to the person who
8 entered into the contract, upon the person's request, an amount equal to the value
9 of the tuition units that are not needed because of the scholarship, waiver or similar
10 subsidy and that would otherwise have been paid by the ~~department~~ state treasurer
11 on behalf of the beneficiary during the semester in which the beneficiary is enrolled.

12 (b) ~~Except as provided under par. (a) 3., the department~~ The state treasurer
13 shall determine the method and schedule for the payment of refunds under this
14 subsection.

15 **SECTION 59.** 16.24 (7m) of the statutes is renumbered 14.63 (7m), and 14.63
16 (7m) (a) (intro.), (b) and (c), as renumbered, are amended to read:

17 14.63 (7m) (a) (intro.) The ~~department~~ state treasurer may adjust the value of
18 a tuition unit based on the actual earnings attributable to the tuition unit less the
19 costs of administering the program under this section that are attributable to the
20 tuition unit if any of the following applies:

21 (b) The ~~department~~ state treasurer may not increase the value of a tuition unit
22 under par. (a) to an amount that exceeds the value of a tuition unit that was
23 purchased at a similar time, held for a similar period and used or refunded in the
24 anticipated academic year of the beneficiary's attendance, as specified in the
25 contract.

1 (c) The ~~department~~ state treasurer may promulgate rules imposing or
2 increasing penalties for refunds under sub. (7) (a) if the ~~department~~ state treasurer
3 determines that such rules are necessary to maintain the status of the program
4 under this section as a qualified state tuition program under section 529 of the
5 Internal Revenue Code, as defined in s. 71.01 (6).

6 **SECTION 60.** 16.24 (8) of the statutes is renumbered 14.63 (8) and amended to
7 read:

8 **14.63 (8)** EXEMPTION FROM GARNISHMENT, ATTACHMENT AND EXECUTION. Moneys
9 deposited in the tuition trust fund and a beneficiary's right to the payment of tuition
10 and mandatory student fees under this section are not subject to garnishment,
11 attachment, execution or any other process of law.

12 **SECTION 61.** 16.24 (9) to (11) of the statutes are renumbered 14.63 (9) to (11),
13 and 14.63 (9), (10), (10m) and (11) (b), as renumbered, are amended to read:

14 **14.63 (9)** CONTRACT WITH ACTUARY. The ~~department~~ state treasurer shall
15 contract with an actuary or actuarial firm to evaluate annually whether the assets
16 in the tuition trust fund are sufficient to meet the obligations of the ~~department~~ state
17 treasurer under this section and to advise the ~~department~~ state treasurer on setting
18 the price of a tuition unit under sub. (2) (b).

19 **(10) REPORTS.** (a) Annually, the ~~department~~ state treasurer shall submit a
20 report to the governor, and to the appropriate standing committees of the legislature
21 under s. 13.172 (3), on the program under this section. The report shall include any
22 recommendations for changes to the program that the ~~department~~ state treasurer
23 determines are necessary to ensure the sufficiency of the tuition trust fund to meet
24 the ~~department's~~ state treasurer's obligations under this section.

1 (b) The ~~department~~ state treasurer shall submit a quarterly report to the state
2 investment board projecting the future cash flow needs of the tuition trust fund. The
3 state investment board shall invest moneys held in the tuition trust fund in
4 investments with maturities and liquidity that are appropriate for the needs of the
5 fund as reported by the ~~department~~ state treasurer in its his or her quarterly reports.
6 All income derived from such investments shall be credited to the fund.

7 **(10m)** REPAYMENT TO GENERAL FUND. The secretary of administration shall
8 transfer from the tuition trust fund to the general fund an amount equal to the
9 amount encumbered from the ~~appropriation~~ appropriations under s. 20.505 (9) (a),
10 1995 stats., and s. 20.585 (2) (a) when the secretary of administration determines
11 that funds in the tuition trust fund are sufficient to make the transfer. The secretary
12 of administration may make the transfer in instalments.

13 **(11)** (b) The requirements to pay tuition and mandatory student fees under sub.
14 (5) and to make refunds under sub. (7) are subject to the availability of sufficient
15 assets in the tuition trust fund.

16 **SECTION 62.** 16.24 (12) and (13) of the statutes are renumbered 14.63 (12) and
17 (13), and 14.63 (12) (title), (a) (intro.) and (b) (intro.) and (13), as renumbered, are
18 amended to read:

19 14.63 **(12)** (title) ADDITIONAL ~~DEPARTMENT~~ DUTIES AND POWERS OF THE STATE
20 TREASURER.

21 (a) (intro.) The ~~department~~ state treasurer shall do all of the following:

22 (b) (intro.) The ~~department~~ state treasurer may do any of the following:

23 **(13)** PROGRAM TERMINATION. If the ~~department~~ state treasurer determines that
24 the program under this section is financially infeasible, the ~~department~~ state

1 treasurer shall discontinue entering into tuition prepayment contracts under sub.
2 (3) and discontinue selling tuition units under sub. (4).

3 **SECTION 64.** 16.339 (2) (a) of the statutes is amended to read:

4 16.339 (2) (a) From the appropriation under s. 20.505 (7) (dm), the department
5 may award a grant ~~that does not exceed \$50,000~~ to an eligible applicant for the
6 purpose of providing transitional housing and associated supportive services to
7 homeless individuals and families if the conditions under par. (b) are satisfied. The
8 department shall ensure that the funds for the grants are reasonably balanced
9 among geographic areas of the state, consistent with the quality of applications
10 submitted.

11 **SECTION 64g.** 16.366 (title), (1) and (2) of the statutes are renumbered 101.935
12 (title), (1) and (2), and 101.935 (2) (d) and (e), as renumbered, are amended to read:

13 101.935 (2) (d) A permit may not be issued under this subsection until all
14 applicable fees have been paid. If the payment is by check or other draft drawn upon
15 an account containing insufficient funds, the permit applicant shall, within 15 days
16 after receipt of notice from the department of the insufficiency, pay by cashier's check
17 or other certified draft, money order or cash the fees ~~from~~ to the department, late fees
18 and processing charges that are specified by rules promulgated by the department.
19 If the permit applicant fails to pay all applicable fees, late fees and the processing
20 charges within 15 days after the applicant receives notice of the insufficiency, the
21 permit is void. In an appeal concerning voiding of a permit under this paragraph,
22 the burden is on the permit applicant to show that the entire applicable fees, late fees
23 and processing charges have been paid. During any appeal process concerning a
24 payment dispute, operation of the mobile home park in question is considered to be
25 operation without a permit.

1 (e) Section 254.69 (2), as it applies to an agent for the department of health and
2 family services in the administration of s. 254.47, applies to an agent for the
3 department of ~~administration~~ commerce in the administration of this section.

4 **SECTION 64m.** 16.366 (2m) of the statutes is renumbered 101.935 (2m), and
5 101.935 (2m) (a) 1., as renumbered, is amended to read:

6 101.935 (2m) (a) 1. Upon completion of the construction of a new mobile home
7 park.

8 **SECTION 64r.** 16.366 (3) of the statutes is renumbered 101.935 (3) and amended
9 to read:

10 101.935 (3) The department may promulgate rules and issue orders to
11 administer and enforce this section. ~~A person who violates this section or a~~
12 ~~regulation or order under this section may be required to forfeit not less than \$10 nor~~
13 ~~more than \$250 for each offense. Each day of continued violation constitutes a~~
14 ~~separate offense.~~

15 **SECTION 65d.** 16.385 (7) of the statutes is amended to read:

16 16.385 (7) INDIVIDUALS IN STATE PRISONS OR SECURED JUVENILE FACILITIES. No
17 payment under sub. (6) may be made to a prisoner who is imprisoned in a state prison
18 under s. 302.01 or to a person placed at a secured correctional facility, as defined in
19 s. 938.02 (15m), ~~or~~ a secured child caring institution, as defined in s. 938.02 (15g),
20 or a secured group home, as defined in s. 938.02 (15p).

21 **SECTION 65m.** 16.40 (20) of the statutes is created to read:

22 16.40 (20) PUBLIC DEBT SERVICE COSTS PROJECTION. Prepare in each
23 odd-numbered year for inclusion in the report submitted by the building commission
24 under s. 13.48 (7) a projection of the long-term trends in principal and interest costs
25 on public debt contracted under subchs. I and IV of ch. 18 as a proportion of all tax

1 revenues that are deposited or are expected to be deposited in the general fund. The
2 projection shall take account of the recommendations adopted by the building
3 commission for the long-range building program under s. 13.48 (7) for the succeeding
4 fiscal biennium and all proposed general obligation bonding contained in the
5 executive budget bill or bills, including bonding for the authorized state building
6 program as well as for other borrowing purposes.

7 **SECTION 65r.** 16.40 (21) of the statutes is created to read:

8 16.40 (21) ADMINISTRATIVE SERVICES PROVIDED TO THE BOARD OF COMMISSIONERS
9 OF PUBLIC LANDS. Render an accounting to the board of commissioners of public lands
10 for the costs of all administrative services provided by the department and other
11 state agencies, as defined in s. 20.001 (1), to the board. All moneys received from the
12 board under s. 24.64 for the costs of administrative services provided by the
13 department and other state agencies shall be deposited in the general fund.

14 **SECTION 70m.** 16.50 (5m) of the statutes is amended to read:

15 16.50 (5m) UNIVERSITY INDIRECT COST REIMBURSEMENTS. Subsections (2) to (5)
16 do not apply to expenditures authorized under s. 20.285 (2) (i) 2.

17 **SECTION 78.** 16.54 (2) (a) 2. of the statutes is amended to read:

18 16.54 (2) (a) 2. Whenever a block grant is made to this state under any federal
19 law enacted after August 31, 1995, which authorizes the distribution of block grants
20 for the purposes for which the grant is made, the governor shall not administer and
21 no board, commission or department may encumber or expend moneys received as
22 a part of the grant unless the governor first notifies the cochairpersons of the joint
23 committee on finance, in writing, that the grant has been made. The notice shall
24 contain a description of the purposes proposed by the governor for expenditure of the
25 moneys received as a part of the grant. If the cochairpersons of the committee do not

1 notify the governor that the committee has scheduled a meeting for the purpose of
2 reviewing the proposed expenditure of grant moneys within 14 working days after
3 the date of the governor’s notification, the moneys may be expended as proposed by
4 the governor. If, within 14 working days after the date of the governor’s notification,
5 the cochairpersons of the committee notify the governor that the committee has
6 scheduled a meeting for the purpose of reviewing the proposed expenditure of grant
7 moneys, no moneys received as a part of the grant may be expended without the
8 approval of the committee. This subdivision does not apply to the expenditure of
9 block grant funds that are allocated under s. 49.175.

10 **SECTION 78t.** 16.54 (11m) of the statutes is created to read:

11 16.54 (11m) All moneys received by the state as national forest income under
12 16 USC 500 shall be distributed to school districts that contain national forest lands
13 within their boundaries. The distribution to each school district shall reflect the
14 proportion of national forest acreage located within the school district.

15 **SECTION 79.** 16.54 (12) of the statutes is created to read:

16 16.54 (12) (a) The department of health and family services may not expend
17 or encumber any moneys received under s. 20.435 (8) (mm) unless the department
18 of health and family services submits a plan for the expenditure of the moneys to the
19 department of administration and the department of administration approves the
20 plan.

21 (b) The department of workforce development may not expend or encumber any
22 moneys received under s. 20.445 (3) (mm) unless the department of workforce
23 development submits a plan for the expenditure of the moneys to the department of
24 administration and the department of administration approves the plan.

1 (c) The department of administration may approve any plan submitted under
2 par. (a) or (b) in whole or in part. If the department approves any such plan in whole
3 or part, the department shall notify the cochairpersons of the joint committee on
4 finance, in writing, of the department's action under this paragraph.

5 (d) At the end of each fiscal year, the department of administration shall
6 determine the amount of moneys that remain in the appropriation accounts under
7 ss. 20.435 (8) (mm) and 20.445 (3) (mm) that have not been approved for
8 encumbrance or expenditure by the department pursuant to a plan submitted under
9 par. (a) or (b) and shall require that such moneys be lapsed to the general fund. The
10 department shall notify the cochairpersons of the joint committee on finance, in
11 writing, of the department's action under this paragraph.

12 **SECTION 79e.** 16.54 (13) of the statutes is created to read:

13 16.54 (13) (a) If the state receives any interest payments from the federal
14 government relating to the timing of expenditures by the state pursuant to a federal
15 government grant program or federal government contract, the payments shall be
16 credited to the general fund as general purpose revenue -- earned.

17 (b) If the state is required to pay any interest payments to the federal
18 government relating to the timing of expenditures by the state pursuant to a federal
19 government grant program or federal government contract, the secretary shall notify
20 the cochairpersons of the joint committee on finance, in writing, that the state is
21 required to pay an interest payment. The notice shall contain an accounting of the
22 amount of interest that the state is required to pay. If the cochairpersons of the
23 committee do not notify the secretary that the committee has scheduled a meeting
24 for the purpose of reviewing the proposed payment of interest within 14 working
25 days after the date of the secretary's notification, the payment may be made as

1 proposed by the secretary. If, within 14 working days after the date of the secretary's
2 notification, the cochairpersons of the committee notify the secretary that the
3 committee has scheduled a meeting for the purpose of reviewing the proposed
4 interest payment, no interest payment may be made without the approval of the
5 committee.

6 **SECTION 81g.** 16.70 (13m) of the statutes is created to read:

7 16.70 (13m) "Remanufacturing" means the process by which a durable product
8 is restored, retaining the bulk of components that have been through at least one life
9 cycle and replacing consumable portions to enable the product to be restored to its
10 originally intended function.

11 **SECTION 81m.** 16.702 (4) of the statutes is amended to read:

12 16.702 (4) The department shall deposit all revenues received from fees
13 assessed under this section in the ~~information technology investment~~ VendorNet
14 fund.

15 **SECTION 82m.** 16.72 (2) (b) of the statutes is amended to read:

16 16.72 (2) (b) Except as provided in ~~s. ss. 16.751 and~~ 565.25 (2) (a) 4., the
17 department shall prepare or review specifications for all materials, supplies,
18 equipment, other permanent personal property and contractual services not
19 purchased under standard specifications. Such "nonstandard specifications" may be
20 generic or performance specifications, or both, prepared to describe in detail the
21 article which the state desires to purchase either by its physical properties or
22 programmatic utility. When appropriate for such nonstandard items or services,
23 trade names may be used to identify what the state requires, but wherever possible
24 2 or more trade names shall be designated and the trade name of any Wisconsin
25 producer, distributor or supplier shall appear first.

1 **SECTION 82p.** 16.72 (2) (d) of the statutes is amended to read:

2 16.72 (2) (d) ~~To~~ Except as permitted in s. 16.751, to the extent possible, the
3 department and any other designated purchasing agent under s. 16.71 (1) shall write
4 specifications for the purchase of materials, supplies, commodities, equipment and
5 contractual services so as to permit their purchase from prison industries, as created
6 under s. 303.01 (1).

7 **SECTION 82pm.** 16.72 (2) (e) of the statutes is renumbered 16.72 (2) (e) 1.

8 **SECTION 82pr.** 16.72 (2) (e) 2. of the statutes is created to read:

9 16.72 (2) (e) 2. a. In this subdivision, “toner cartridge” means a cartridge
10 containing dry, powdered ink for application to paper by use of a photocopier, laser
11 printer or similar device.

12 b. In writing specifications for purchases under this section, the department,
13 any other designated purchasing agent under s. 16.71 (1) and each authority, other
14 than the University of Wisconsin Hospitals and Clinics Authority, shall ensure that
15 the specifications prohibit the procurement of a toner cartridge whose original
16 manufacturer places restrictions on the remanufacturing of the toner cartridge by
17 any person other than the original manufacturer. Restrictions on remanufacturing
18 include reducing the price of the toner cartridge in exchange for an agreement not
19 to remanufacture the toner cartridge, a licensing agreement on the toner cartridge
20 that forbids remanufacturing and any contract that forbids the remanufacturing or
21 recycling of a toner cartridge. Trade names may be used in specifications written
22 under this subdivision.

23 **SECTION 84.** 16.72 (6) and (7) of the statutes are repealed.

24 **SECTION 84m.** 16.74 (5m) of the statutes is created to read:

1 **16.74 (5m)** In writing specifications for purchases under this section, the joint
2 committee on legislative organization, house, legislative service agency, director of
3 state courts or judicial branch agency shall ensure that specifications include a
4 prohibition against the purchase of a toner cartridge, as defined in s. 16.72 (2) (e) 2.
5 a., whose original manufacturer places restrictions on the remanufacturing of the
6 toner cartridge by any person other than the original manufacturer. Restrictions on
7 remanufacturing include reducing the price of the toner cartridge in exchange for an
8 agreement not to remanufacture the toner cartridge, a licensing agreement on the
9 toner cartridge that forbids remanufacturing and any contract that forbids the
10 remanufacturing or recycling of a toner cartridge. Trade names may be used in
11 specifications written under this subsection.

12 **SECTION 85m.** 16.75 (1) (a) 1. of the statutes is amended to read:

13 **16.75 (1)** (a) 1. All orders awarded or contracts made by the department for all
14 materials, supplies, equipment and contractual services to be provided to any
15 agency, except as otherwise provided in par. (c) and subs. (2), (2g), (2m), (3m), (3t),
16 (6), (7), (8) and (9) and ss. 16.73 (4) (a), 16.751, 16.754, 50.05 (7) (f), 287.15 (7) and
17 301.265, shall be awarded to the lowest responsible bidder, taking into consideration
18 life cycle cost estimates under sub. (1m), when appropriate, the location of the
19 agency, the quantities of the articles to be supplied, their conformity with the
20 specifications, and the purposes for which they are required and the date of delivery.

21 **SECTION 86m.** 16.75 (2m) (g) of the statutes is amended to read:

22 **16.75 (2m)** (g) After receiving each offerer's best and final offer, the department
23 shall determine which proposal is most advantageous and shall award the order or
24 contract to the person who offered it. The department's determination shall be based
25 only on price and the other evaluation factors specified in the request for proposals.

1 The department shall state in writing the reason for the award and shall place the
2 statement in the contract file. This paragraph does not apply to procurements under
3 s. 16.751.

4 **SECTION 89m.** 16.751 of the statutes is created to read:

5 **16.751 Information technology purchases by investment board. (1)** In
6 this section, “information technology” has the meaning given under s. 16.97 (6).

7 **(2)** The requirements of ss. 16.72 (2) (b) and (d) and 16.75 (1) (a) 1. and (2m)
8 (g) do not apply to procurements by the investment board for information technology
9 purposes.

10 **SECTION 93.** 16.76 (4) (a) of the statutes is amended to read:

11 16.76 **(4)** (a) In this subsection, “master lease” means an agreement entered
12 into by the department on behalf of one or more agencies ~~for the lease of goods or the~~
13 ~~provision of~~ to obtain property or services under which the department makes or
14 agrees to make periodic payments.

15 ~~(ag)~~ The department may pay or agree to pay ~~to the lessor~~ under a master lease
16 a sum substantially equivalent to or in excess of the aggregate value of goods
17 ~~involved~~ property or services obtained and it may be agreed that the department or
18 one or more agencies will become, or for no other or nominal consideration has the
19 option to become, the owner of ~~goods leased or to be leased~~ property obtained or to
20 be obtained under a master lease upon full compliance with the its terms of the
21 agreement.

22 **SECTION 95.** 16.76 (4) (b) of the statutes is amended to read:

23 16.76 **(4)** (b) ~~The~~ Except as provided in par. (h), the department may enter into
24 a master lease whenever the department determines that it is advantageous to the
25 state to do so. If the master lease provides for payments to be made by the state from

1 moneys that have not been appropriated at the time that the master lease is entered
2 into, the master lease shall contain the statement required under s. 16.75 (3).

3 **SECTION 96.** 16.76 (4) (c) of the statutes is amended to read:

4 16.76 (4) (c) Payments under a master lease may include interest payable at
5 a fixed or variable rate as the master lease may provide. The department may enter
6 into agreements and ancillary arrangements which the department determines to
7 be necessary to facilitate the use of a master lease, ~~including liquidity facilities,~~
8 ~~remarketing or dealer agreements, letter of credit agreements, insurance policies,~~
9 ~~interest rate guaranty agreements, reimbursement agreements and indexing~~
10 ~~agreements.~~

11 **SECTION 97.** 16.76 (4) (e) of the statutes is amended to read:

12 16.76 (4) (e) The department may grant ~~the lessor~~ a perfected security interest
13 in goods leased property obtained or to be leased obtained under each a master lease.
14 The department shall record and preserve evidence of the security interest in its
15 offices at all times during which the master lease is in effect.

16 **SECTION 98.** 16.76 (4) (f) of the statutes is amended to read:

17 16.76 (4) (f) The department may appoint one or more fiscal agents for each
18 master lease. Each fiscal agent shall be an incorporated bank or trust company
19 authorized by the laws of the United States or of the state in which it is located to
20 do business as a banking or trust company. ~~Sections 16.705 and 16.75 do not apply~~
21 ~~to contracts for fiscal agent services.~~ The department shall periodically require
22 competitive proposals, under procedures established by the department, for fiscal
23 agent services under this paragraph. There may be deposited with a fiscal agent, in
24 a special account for such purpose only, a sum estimated to be sufficient to enable the
25 fiscal agent to make all payments which will come due under the master lease not

1 more than 15 days after the date of deposit. The department may make such other
2 provisions respecting fiscal agents as it considers necessary or useful and may enter
3 into a contract with any fiscal agent containing such terms, including compensation,
4 and conditions in regard to the fiscal agent as it considers necessary or useful.

5 **SECTION 99.** 16.76 (4) (g) of the statutes is created to read:

6 16.76 (4) (g) Sections 16.705 and 16.75 do not apply to agreements or ancillary
7 agreements under par. (c) or contracts for fiscal agent services under par. (f).

8 **SECTION 100.** 16.76 (4) (h) of the statutes is created to read:

9 16.76 (4) (h) A master lease may not be used to obtain a facility for use or
10 occupancy by the state or an agency or instrumentality of the state or to obtain an
11 internal improvement.

12 **SECTION 102.** 16.76 (4) (j) of the statutes is created to read:

13 16.76 (4) (j) If a master lease is used to finance payments to be made under an
14 energy conservation construction project as provided in s. 16.858 (2), payments
15 under the lease may not be conditioned upon any payment required to be made by
16 the contractor pursuant to an energy conservation audit.

17 **SECTION 105e.** 16.853 of the statutes is created to read:

18 **16.853 Grant to Heritage Military Music Foundation.** If the Heritage
19 Military Music Foundation requests the department to review an estimate of the cost
20 of improvements to its building in the city of Watertown, the department shall review
21 the estimate. If the department approves the estimate, the department shall provide
22 a grant to the foundation in the amount of \$85,300 for the purpose of making
23 improvements to that building.

24 **SECTION 105f.** 16.853 of the statutes, as created by 1999 Wisconsin Act (this
25 act), is repealed.

1 **SECTION 105m.** 16.857 of the statutes is created to read:

2 **16.857 Agency building maintenance. (1)** In this section, “agency” has the
3 meaning given under s. 16.70 (1).

4 **(2)** The department shall require each agency to which moneys are
5 appropriated in any fiscal period for capital building maintenance purposes to
6 submit a work plan to the department describing the agency’s proposal for
7 expenditure of those moneys. The plan shall be submitted for such period as the
8 secretary may require, and shall be filed no later than the date prescribed by the
9 secretary. Upon approval of a work plan by the department, the department shall
10 forward the plan to the building commission for its review and approval under s.
11 13.48 (30).

12 **(3)** Notwithstanding s. 16.50 (2), the secretary may withhold approval of any
13 proposed expenditure under s. 16.50 (2) by any agency for any significant capital
14 building maintenance project, as determined by the secretary, if a project does not
15 conform to a work plan approved by the department and the building commission.

16 **(4)** Following the end of each fiscal year, the department shall submit a report
17 to the joint committee on finance concerning the expenditure of capital building
18 maintenance moneys by each agency and capital building maintenance work
19 completed by each agency during the preceding fiscal year.

20 **SECTION 106.** 16.858 (2) of the statutes is renumbered 16.858 (2) (a) and
21 amended to read:

22 16.858 **(2)** (a) ~~Any A contract under sub. (1) shall require~~ may provide for the
23 construction work to be financed by the state or by the contractor to undertake the
24 construction work at its own expense. The contract shall provide for the state to pay
25 a ~~maximum~~ stated amount, which shall include any financing costs incurred by the

1 contractor. The ~~maximum~~ stated amount may not exceed the minimum savings
2 determined under the audit to be realized by the state within the period specified in
3 the audit. The state shall make payments under the contract as the savings
4 identified in the audit are realized by the state, in the amounts actually realized, but
5 not to exceed the lesser of the ~~maximum~~ stated amount or the actual amount of the
6 savings realized by the state within the period specified in the audit. If the
7 department provides financing for construction work, the department may finance
8 any portion of the cost of the work under a master lease entered into as provided
9 under s. 16.76 (4). If the department provides financing for the construction work
10 and the stated amount to be paid by the state under the contract is greater than the
11 amount of the savings realized by the state within the period specified in the audit
12 under sub. (1), the contract shall require the contractor to remit the difference to the
13 department.

14 (b) The department shall charge the cost of ~~the payments made by the state to~~
15 the contractor to the applicable appropriation for fuel and utility costs at the
16 building, structure or facility where the work is performed in the amounts equivalent
17 to the savings that accrue to the state under that appropriation from expenditures
18 not made as a result of the construction work, as determined by the department in
19 accordance with the contract. The department may also charge its costs for
20 negotiation ~~and~~, administration and financing of the contract to the same
21 appropriation.

22 **SECTION 107.** 16.858 (4) of the statutes is amended to read:

23 16.858 (4) No later than January 1 of each year, the secretary shall report to
24 the cochairpersons of the joint committee on finance identifying any construction
25 work for which the department has contracted under this section for which ~~the state~~

1 ~~has not made its~~ final payment has not been made as of the date of the preceding
2 report, together with the actual energy cost savings realized by the state as a result
3 of the contract to date, or the estimated energy cost savings to be realized by the state
4 if the total savings to be realized in the audit under sub. (1) have not yet been
5 realized, ~~and~~ the date on which the state made its final payment under the contract
6 or, if the final payment has not been made, the latest date on which the state is
7 obligated to make its final payment under the contract, and any amount that
8 remains payable to the state under the contract.

9 **SECTION 109.** 16.956 of the statutes is repealed.

10 **SECTION 109m.** 16.957 of the statutes is created to read:

11 **16.957 Utility public benefits. (1) DEFINITIONS.** In this section:

12 (bm) “Commission” means the public service commission.

13 (c) “Commitment to community program” means a program by a municipal
14 utility or retail electric cooperative for low-income assistance or an energy
15 conservation program by a municipal utility or retail electric cooperative.

16 (cm) “Council” means the council on utility public benefits created under s.
17 15.107 (17).

18 (d) “Customer application of renewable resources” means the generation of
19 electricity from renewable resources that takes place on the premises of a customer
20 or member of an electric provider.

21 (e) “Division of housing” means the division of housing in the department.

22 (f) “Electric provider” means an electric utility or retail electric cooperative.

23 (g) “Electric utility” means a public utility that owns or operates a retail electric
24 distribution system.

1 (h) “Energy conservation program” means a program for reducing the demand
2 for natural gas or electricity or improving the efficiency of its use during any period.

3 (i) “Fiscal year” has the meaning given in s. 655.001 (6).

4 (k) “Local unit of government” means the governing body of any county, city,
5 town, village or county utility district or the elected tribal governing body of a
6 federally recognized American Indian tribe or band.

7 (L) “Low-income assistance” means assistance to low-income households for
8 weatherization and other energy conservation services, payment of energy bills or
9 early identification or prevention of energy crises.

10 (m) “Low-income household” means any individual or group of individuals in
11 this state who are living together as one economic unit and for whom residential
12 electricity is customarily purchased in common or who make undesignated
13 payments for electricity in the form of rent, and whose household income is not more
14 than 150% of the poverty line as determined under 42 USC 9902 (2).

15 (n) “Low-income need” means the amount obtained by subtracting from the
16 total low-income energy bills in a fiscal year the product of 2.2% of the estimated
17 average annual income of low-income households in this state in that fiscal year
18 multiplied by the estimated number of low-income households in this state in that
19 fiscal year.

20 (o) “Low-income need percentage” means the percentage that results from
21 dividing the sum of the following by the amount of low-income need in fiscal year
22 1998–99:

23 1. The total amount received by the department for low-income funding under
24 42 USC 6861 to 6873 and 42 USC 8621 to 8629 in fiscal year 1997–98.

1 1m. The amount of the portion of the public benefits fee for fiscal year
2 1999–2000 that is specified in sub. (4) (c) 1. The amount specified in this subdivision
3 shall not be subject to the reduction under 1999 Wisconsin Act ... (this act), section
4 9101 (1zv) (a).

5 2. The total amount expended by utilities under s. 196.374 related to
6 low-income assistance.

7 3. Fifty percent of the amount of public benefits fees that municipal utilities
8 and retail electric cooperatives are required to charge under sub. (5) (a) in fiscal year
9 1999–2000. The amount specified in this subdivision shall not be subject to the
10 reduction under 1999 Wisconsin Act ... (this act), section 9101 (1zv) (c).

11 (p) “Low-income need target” means the product of the low-income need
12 percentage multiplied by low-income need in a fiscal year.

13 (q) “Municipal utility” means an electric utility that is owned wholly by a
14 municipality and that owns a retail distribution system.

15 (qm) “Public utility” has the meaning given in s. 196.01 (5).

16 (r) “Renewable resource” has the meaning given in s. 196.378 (1) (h).

17 (s) “Retail capacity” means the total amount of electricity that an electric
18 provider is capable of delivering to its retail customers or members and that is
19 supplied by electric generating facilities owned or operated by the electric provider
20 or any other person. “Retail capacity” does not include any electricity that is not used
21 to satisfy the electric provider’s retail load obligations.

22 (t) “Retail electric cooperative” means a cooperative association that is
23 organized under ch. 185 for the purpose of providing electricity at retail to its
24 members only and that owns or operates a retail electric distribution system.

1 (u) “Total low–income energy bills” means the total estimated amount that all
2 low–income households are billed for residential electricity, natural gas and heating
3 fuel in a fiscal year.

4 (v) “Wholesale electric cooperative” means a cooperative association that is
5 organized under ch. 185 for the purpose of providing electricity at wholesale to its
6 members only.

7 (w) “Wholesale supplier” means a wholesale electric cooperative or a municipal
8 electric company, as defined in s. 66.073 (3) (d), that supplies electricity at wholesale
9 to a municipal utility or retail electric cooperative.

10 (x) “Wholesale supply percentage” means the percentage of a municipal
11 utility’s or retail electric cooperative’s retail capacity in a fiscal year that is supplied
12 by a wholesale supplier.

13 **(2) DEPARTMENT DUTIES.** In consultation with the council, the department shall
14 do all of the following:

15 (a) *Low–income programs.* After holding a hearing, establish programs to be
16 administered by the department through the division of housing for awarding grants
17 from the appropriation under s. 20.505 (10) (r) to provide low–income assistance. In
18 each fiscal year, the amount awarded under this paragraph shall be sufficient to
19 ensure that an amount equal to 47% of the sum of the following is spent for
20 weatherization and other energy conservation services:

21 1. All moneys received from the federal government under 42 USC 6861 to 6873
22 and 42 USC 8621 to 8629 in a fiscal year.

23 2. All moneys spent in a fiscal year for low–income programs established under
24 s. 196.374.

1 3. All moneys spent in a fiscal year on programs established under this
2 paragraph.

3 4. Fifty percent of the moneys collected in public benefits fees under sub. (5).

4 (b) *Energy conservation and efficiency and renewable resource programs.* 1.
5 Subject to subd. 2., after holding a hearing, establish programs for awarding grants
6 from the appropriation under s. 20.505 (10) (s) for each of the following:

7 a. Proposals for providing energy conservation or efficiency services. In
8 awarding grants under this subd. 1. a., the department shall give priority to
9 proposals directed at the sectors of energy conservation or efficiency markets that
10 are least competitive and at promoting environmental protection, electric system
11 reliability or rural economic development. In each fiscal year, 1.75% of the
12 appropriation under s. 20.505 (10) (s) shall be awarded in grants for research and
13 development proposals regarding the environmental impacts of the electric industry.

14 b. Proposals for encouraging the development or use of customer applications
15 of renewable resources, including educating customers or members about renewable
16 resources or encouraging uses of renewable resources by customers or members or
17 encouraging research technology transfers. In each fiscal year, the department shall
18 ensure that 4.5% of the appropriation under s. 20.505 (10) (s) is awarded in grants
19 under this subd. 1. b.

20 2. For each fiscal year after fiscal year 2003–04, determine whether to continue,
21 discontinue or reduce any of the programs established under subd. 1. and determine
22 the total amount necessary to fund the programs that the department determines
23 to continue or reduce under this subdivision. The department shall notify the
24 commission if the department determines under this subdivision to reduce funding
25 by an amount that is greater than the portion of the public benefits fee specified in

1 sub. (4) (c) 2. The notice shall specify the portion of the reduction that exceeds the
2 amount of public benefits fees specified in sub. (4) (c) 2.

3 (c) *Rules.* Promulgate rules establishing all of the following:

4 1. Eligibility requirements for low-income assistance under programs
5 established under par. (a). The rules shall prohibit a person who receives
6 low-income assistance from a municipal utility or retail electric cooperative under
7 a program specified in sub. (5) (d) 2. b. or 3. a. from receiving low-income assistance
8 under programs established under par. (a).

9 2. Requirements and procedures for applications for grants awarded under
10 programs established under par. (a) or (b) 1.

11 2m. Criteria for the selection of proposals by a corporation specified in sub. (3)
12 (b).

13 2n. Criteria for making the determination under par. (b) 2. Rules promulgated
14 under this subdivision shall require the department to determine whether the need
15 for a program established under par. (b) 1. is satisfied by the private sector market
16 and, if so, whether the program should be discontinued or reduced.

17 4. Requirements for electric utilities to allow customers to include voluntary
18 contributions to assist in funding a program established under par. (a) or (b) 1. with
19 bill payments for electric service. The rules may require an electric utility to provide
20 a space on an electric bill in which a customer may indicate the amount of a voluntary
21 contribution and the customer's preference regarding whether a contribution should
22 be used for a program established under par. (a) or (b) 1. a. or b. The rules shall
23 establish requirements and procedures for electric utilities to pay to the department
24 any voluntary contributions included with bill payments and to report to the
25 department customer preferences regarding use of the contributions. The

1 department shall deposit all contributions received under this paragraph in the
2 utility public benefits fund.

3 5. A method for estimating total low-income energy bills, average annual
4 income of low-income households and the number of low-income households in a
5 fiscal year for the purpose of determining the amount of low-income need in the fiscal
6 year.

7 (d) *Other duties.* 1. For each fiscal year after fiscal year 1998–99, determine
8 the low-income need target for that fiscal year.

9 2. Encourage customers or members to make voluntary contributions to assist
10 in funding the programs established under pars. (a) and (b) 1. The department shall
11 deposit all contributions received under this paragraph in the utility public benefits
12 fund.

13 3. Deposit all moneys received under sub. (4) (a) or (5) (c) or (d) in the utility
14 public benefits fund.

15 4. Provide for an annual independent audit and submit an annual report to the
16 legislature under s. 13.172 (2) that describes each of the following:

17 a. The expenses of the department, other state agencies and grant recipients
18 in administering or participating in the programs under pars. (a) and (b).

19 b. The effectiveness of the programs under par. (a) in providing assistance to
20 low-income individuals.

21 c. The effectiveness of the programs under par. (b) in reducing demand for
22 electricity and increasing the use of renewable resources owned by customers or
23 members.

24 d. Any other issue identified by the department, council, governor, speaker of
25 the assembly or majority leader of the senate.

1 **(3) CONTRACTS.** (a) The division of housing shall, on the basis of competitive
2 bids, contract with community action agencies described in s. 46.30 (2) (a) 1.,
3 nonstock, nonprofit corporations organized under ch. 181 or local units of
4 government to provide services under the programs established under sub. (2) (a).

5 (b) The department shall, on the basis of competitive bids, contract with one
6 or more nonstock, nonprofit corporations organized under ch. 181 to administer the
7 programs established under sub. (2) (b) 1., including soliciting proposals, processing
8 grant applications, selecting, based on criteria specified in rules promulgated under
9 sub. (2) (c) 2m., proposals for the department to make awards and distributing grants
10 to recipients.

11 (c) In selecting proposals and awarding grants under sub. (2) (b), the
12 department or a nonprofit corporation specified in par. (b) may not discriminate
13 against an electric provider or its affiliate or a wholesale electric supplier or its
14 affiliate solely on the basis of its status as an electric provider, wholesale electric
15 supplier or affiliate.

16 **(4) ELECTRIC UTILITIES.** (a) *Requirement to charge public benefits fees.* Each
17 electric utility, except for a municipal utility, shall charge each customer a public
18 benefits fee in an amount established in rules promulgated by the department under
19 par. (b). An electric utility, except for a municipal utility, shall collect and pay the fees
20 to the department in accordance with the rules promulgated under par. (b). The
21 public benefits fees collected by an electric utility shall be considered trust funds of
22 the department and not income of the electric utility.

23 (am) *Electric bills.* An electric utility shall include a public benefits fee in the
24 fixed charges for electricity in a customer's bill and shall provide the customer with

1 an annual statement that identifies the annual charges for public benefits fees and
2 describes the programs for which fees are used.

3 (b) *Rules.* In consultation with the council, the department shall promulgate
4 rules that establish the amount of a public benefits fee under par. (a). Fees
5 established in rules under this paragraph may vary by class of customer, but shall
6 be uniform within each class, and shall satisfy each of the following:

7 1. The fees may not be based on the kilowatt-hour consumption of electricity
8 by customers.

9 2. Seventy percent of the total amount of fees charged by an electric provider
10 may be charged to residential customers and 30% of the total may be charged to
11 nonresidential customers.

12 3. The fees shall allow an electric provider to recover the reasonable and
13 prudent expenses incurred by the electric provider in complying with this section.

14 (c) *Amount of public benefits fees.* A fee established in rules promulgated under
15 par. (b) shall satisfy each of the following:

16 1. ‘Low-income funding.’ In fiscal year 1999–2000, a portion of the public
17 benefits fee shall be an amount that, when added to 50% of the estimated public
18 benefits fees charged by municipal utilities and retail electric cooperatives under
19 sub. (5) (a) for that fiscal year, shall equal \$24,000,000. In each fiscal year after fiscal
20 year 1999–2000, a portion of the public benefits fee shall be an amount that, when
21 added to the sum of the following shall equal the low-income need target for that
22 fiscal year determined by the department under sub. (2) (d) 1.:

23 a. Fifty percent of the estimated public benefits fees charged by municipal
24 utilities and retail electric cooperatives under sub. (5) (a) for that fiscal year.

1 b. All moneys received under 42 USC 6861 to 6873 and 42 USC 8621 to 8629
2 for that fiscal year.

3 c. The total amount spent on programs or contributed to the commission by
4 utilities under s. 196.374 (3) for that fiscal year for low-income assistance.

5 2. ‘Energy conservation and efficiency and renewable resource funding.’ For
6 fiscal year 1999–2000, a portion of the public benefits fee shall be in an amount that,
7 when added to 50% of the estimated public benefits fees charged by municipal
8 utilities and retail electric cooperatives under sub. (5) (a) for that fiscal year, shall
9 equal \$20,000,000. In each fiscal year after fiscal year 1999–2000, a portion of the
10 public benefits fee shall be the amount determined under this subdivision for fiscal
11 year 1999–2000, except that if the department determines to reduce or discontinue
12 a program under sub. (2) (b) 2., the department shall reduce the amount accordingly.

13 3. ‘Limitation on electric bill increases.’ For the period beginning on the
14 effective date of this subdivision [revisor inserts date], and ending on
15 June 30, 2008, the total increase in a customer’s electric bills that is based on the
16 requirement to pay public benefits fees, including any increase resulting from an
17 electric utility’s compliance with this section, may not exceed 3% of the total of every
18 other charge for which the customer is billed for that period or \$750 per month,
19 whichever is less.

20 **(5) MUNICIPAL UTILITIES AND RETAIL ELECTRIC COOPERATIVES.** (a) *Requirement to*
21 *charge public benefits fees.* Each retail electric cooperative and municipal utility
22 shall charge a monthly public benefits fee to each customer or member in an amount
23 that is sufficient for the retail electric cooperative or municipal utility to collect an
24 annual average of \$16 per meter. A retail electric cooperative or municipal utility
25 may determine the amount that a particular class of customers or members is

1 required to pay under this paragraph and may charge different fees to different
2 classes of customers or members.

3 (am) *Public benefits fee restriction.* Notwithstanding par. (a), for the period
4 beginning on the effective date of this paragraph [revisor inserts date], and
5 ending on June 30, 2008, the total increase in a customer's or member's electric bills
6 that is based on the requirement to pay public benefits fees, including any increase
7 resulting from a retail electric cooperative's or municipal utility's compliance with
8 this section, may not exceed 3% of the total of every other charge for which the
9 member or customer is billed for that period or \$750 per month, whichever is less.

10 (b) *Election to contribute to department programs.* 1. No later than the first
11 day of the 12th month beginning after the effective date of this subdivision
12 [revisor inserts date], each municipal utility or retail electric cooperative shall notify
13 the department whether it has elected to contribute to the programs established
14 under sub. (2) (a) or (b) 1. for a 3-year period.

15 2. No later than every 3rd year after the date specified in subd. 1., each
16 municipal utility or retail electric cooperative shall notify the department whether
17 it has elected to contribute to the programs established under sub. (2) (a) or (b) 1. for
18 a 3-year period.

19 (c) *Full contribution.* If a municipal utility or retail electric cooperative elects
20 under par. (b) 1. or 2. to contribute to the programs established both under sub. (2)
21 (a) and under sub. (2) (b) 1., it shall pay 100% of the public benefits fees that it charges
22 under par. (a) to the department in each fiscal year of the 3-year period for which it
23 has made the election.

1 (d) *Partial contributions and commitment to community spending.* A
2 municipal utility or retail electric cooperative not specified in par. (c) shall do one of
3 the following:

4 1. If the municipal utility or retail electric cooperative elects to contribute only
5 to the programs established under sub. (2) (a), the municipal utility or retail electric
6 cooperative shall, in each fiscal year of the 3–year period for which it elects to
7 contribute under par. (b) 1. or 2., do all of the following:

8 a. Pay 50% of the public benefits fees that it charges under par. (a) to the
9 department.

10 b. Spend 50% of the public benefits fees that it charges under par. (a) on energy
11 conservation programs.

12 2. If the municipal utility or retail electric cooperative elects to contribute only
13 to the programs established under sub. (2) (b) 1., the municipal utility or retail
14 electric cooperative shall, in each fiscal year of the 3–year period for which it elects
15 to contribute under par. (b) 1. or 2., do all of the following:

16 a. Pay 50% of the public benefits fees that it charges under par. (a) to the
17 department.

18 b. Spend 50% of the public benefits fees that it charges under par. (a) on
19 programs for low–income assistance.

20 3. If the municipal utility or retail electric cooperative elects not to contribute
21 to any of the programs established under sub. (2) (a) or (b) 1., the municipal utility
22 or retail electric cooperative shall, in each fiscal year of the 3–year period for which
23 it elects not to contribute under par. (b) 1. or 2., do all of the following:

24 a. Spend 50% of the public benefits fees that it charges under par. (a) on
25 programs for low–income assistance.

1 b. Spend 50% of the public benefits fees that it charges under par. (a) on energy
2 conservation programs.

3 (e) *Wholesale supplier credit.* If a wholesale supplier has established a program
4 for low-income assistance or an energy conservation program, a municipal utility or
5 retail electric cooperative that is a customer or member of the wholesale supplier
6 may do any of the following:

7 1. Include an amount equal to the product of the municipal utility's or retail
8 electric cooperative's wholesale supply percentage and the amount that the
9 wholesale supplier has spent on low-income assistance in a fiscal year in calculating
10 the amount that the municipal utility or retail electric cooperative has spent on
11 low-income assistance in that fiscal year under par. (d) 2. b. or 3. a.

12 2. Include an amount equal to the product of the municipal utility's or retail
13 electric cooperative's wholesale supply percentage and the amount that the
14 wholesale supplier has spent on energy conservation programs or customer
15 applications of renewable resources in a fiscal year in calculating the amount that
16 the municipal utility or retail electric cooperative has spent on energy conservation
17 programs under par. (d) 1. b. or 3. b.

18 (f) *Joint programs.* Municipal utilities or retail electric cooperatives may
19 establish joint commitment to community programs, except that each municipal
20 utility or retail electric cooperative that participates in a joint program is required
21 to comply with the spending requirements under par. (d).

22 (g) *Reports.* 1. For each fiscal year, each municipal utility and retail electric
23 cooperative that does not pay 100% of the public benefits fee that it charges under
24 par. (a) to the department under par. (c) shall file a report with the department that
25 describes each of the following:

1 a. An accounting of public benefits fees charged to customers or members under
2 par. (a) in the fiscal year and expenditures on commitment to community programs
3 under par. (d), including any amounts included in the municipal utility’s or retail
4 electric cooperative’s calculations under par. (e).

5 b. A description of commitment to community programs established by the
6 municipal utility or retail electric cooperative in the fiscal year.

7 2. The department shall maintain reports filed under subd. 1. for at least 6
8 years.

9 **SECTION 109no.** 16.958 of the statutes is created to read:

10 **16.958 Air quality improvement program. (1)** In this section:

11 (a) “Eligible electric provider” means a generator public utility or a generator
12 electric cooperative that provides electric service to customers or members in the
13 midcontinent area of this state.

14 (b) “Generator electric cooperative” means an electric cooperative, as defined
15 in s. 76.48 (1g) (c), that generates electricity.

16 (c) “Generator public utility” means a public utility, as defined in s. 196.01 (5),
17 that generates electricity.

18 (d) “Initial compliance date” means the date specified in a notice by the
19 department of natural resources under s. 285.48 (2) by which electric generating
20 facilities in the midcontinent area of this state are required to comply with initial
21 nitrogen oxide emission reduction requirements.

22 (e) “Midcontinent area” means the geographic area served by the
23 Mid–Continent Area Power Pool reliability council of the North American Electric
24 Reliability Council.

1 **(2)** If the department of natural resources makes a notification to the
2 department of administration under s. 285.48 (2), the department of administration
3 shall do each of the following:

4 (a) In each fiscal year of the 10–year period that commences on July 1 of the
5 fiscal year ending before the initial compliance date, transfer \$2,500,000, or the
6 lesser amount specified in a notice under s. 285.48 (3) (d) 4., from the utility public
7 benefits fund to the air quality improvement fund.

8 (b) From the air quality improvement fund, award grants to eligible electric
9 providers to be used for the purpose of complying with requirements under state or
10 federal law to reduce nitrogen oxide emissions in the midcontinent area of this state
11 pursuant to a state implementation plan. An eligible electric provider that is a public
12 utility may receive no more than \$500,000 per year in grants under this paragraph.

13 (c) Promulgate rules for awarding grants under par. (b). The rules shall require
14 an applicant for a grant to identify the reduction in nitrogen oxide emissions that the
15 applicant is capable of achieving with the grant.

16 **(3)** An eligible electric provider that is awarded a grant under sub. (2) (b) may
17 assign the grant to a 3rd party if the 3rd party uses the grant for the purpose of
18 reducing nitrogen oxide emissions and the eligible electric provider demonstrates to
19 the satisfaction of the department of administration that the 3rd party is capable of
20 achieving the reduction in nitrogen oxide emissions identified in the eligible electric
21 provider’s application for the grant.

22 **SECTION 110.** 16.964 (6) of the statutes is created to read:

23 16.964 **(6)** (a) In this subsection, “tribe” means a federally recognized American
24 Indian tribe or band in this state.

1 (b) From the appropriation under s. 20.505 (6) (ks), the office shall provide
2 grants to tribes to fund tribal law enforcement operations. To be eligible for a grant
3 under this subsection, a tribe must submit an application for a grant to the office that
4 includes a proposed plan for expenditure of the grant moneys. The office shall review
5 any application and plan submitted to determine whether that application and plan
6 meet the criteria established under par. (c). The office shall review the use of grant
7 money provided under this subsection to ensure that the money is used according to
8 the approved plan.

9 (c) The office shall develop criteria and procedures for use in administering this
10 subsection. Notwithstanding s. 227.10 (1), the criteria and procedures need not be
11 promulgated as rules under ch. 227.

12 **SECTION 110j.** 16.964 (7) of the statutes is created to read:

13 16.964 (7) (a) From the appropriation under s. 20.505 (6) (kq), the office shall
14 provide grants to counties to fund county law enforcement services. The office may
15 make a grant to a county under this subsection only if all of the following apply:

16 1. The county borders one or more federally recognized Indian reservations.

17 2. The county has not established a cooperative county–tribal law enforcement
18 program under s. 165.90 with each federally recognized Indian tribe or band that has
19 a reservation bordering the county.

20 3. The county demonstrates a need for the law enforcement services to be
21 funded with the grant.

22 4. The county submits an application for a grant and a proposed plan that
23 shows how the county will use the grant moneys to fund law enforcement services.

24 (b) The office shall review an application and plan submitted under par. (a) 4.
25 to determine if the application and plan meet the requirements of par. (a) 1. to 3. and

1 the criteria established under par. (c). The office may not award an annual grant in
2 excess of \$50,000 to any county under this subsection.

3 (c) The office shall develop criteria and procedures for use in administering this
4 subsection. Notwithstanding s. 227.10 (1), the criteria and procedures need not be
5 promulgated as rules under ch. 227.

6 **SECTION 110k.** 16.964 (8) of the statutes is created to read:

7 16.964 (8) From the appropriation under s. 20.505 (6) (ks), the office shall make
8 the following grants:

9 (a) To the Stockbridge–Munsee Indian tribe, \$175,000 in each fiscal year for a
10 public safety initiative.

11 (b) To the St. Croix Chippewa Indian tribe, \$150,000 in each fiscal year to
12 develop law enforcement capabilities on the reservation and trust lands of the tribe.

13 (c) To the Lac Courte Oreilles Chippewa Indian tribe, \$125,000 in each fiscal
14 year to develop law enforcement capabilities on the reservation and trust lands of the
15 tribe.

16 **SECTION 110m.** 16.965 (title), (1) and (2) of the statutes are created to read:

17 **16.965 (title) Planning grants to local governmental units. (1)** In this
18 section:

19 (a) “Local governmental unit” means a county, city, village, town or regional
20 planning commission.

21 (b) “Smart growth area” means an area that will enable the development and
22 redevelopment of lands with existing infrastructure and municipal, state and utility
23 services, where practicable, or that will encourage efficient development patterns
24 that are both contiguous to existing development and at densities which have
25 relatively low municipal, state governmental and utility costs.

1 **(2)** From the appropriation under s. 20.505 (1) (cm), the department may
2 provide grants to local governmental units to be used to finance the cost of planning
3 activities, including contracting for planning consultant services, public planning
4 sessions and other planning outreach and educational activities, or for the purchase
5 of computerized planning data, planning software or the hardware required to
6 utilize that data or software. The department shall require any local governmental
7 unit that receives a grant under this section to finance a percentage of the cost of the
8 product or service to be funded by the grant from the resources of the local
9 governmental unit. The department shall determine the percentage of the cost to be
10 funded by a local governmental unit based on the number of applications for grants
11 and the availability of funding to finance grants for the fiscal year in which grants
12 are to be provided. A local governmental unit that desires to receive a grant under
13 this subsection shall file an application with the department. The application shall
14 contain a complete statement of the expenditures proposed to be made for the
15 purposes of the grant. No local governmental unit is eligible to receive a grant under
16 this subsection unless the local governmental unit agrees to utilize the grant to
17 finance planning for all of the purposes specified in s. 66.0295 (2).

18 **SECTION 110n.** 16.965 (title), (1) and (2) of the statutes, as created by 1999
19 Wisconsin Act (this act), are repealed.

20 **SECTION 110no.** 16.965 (3) of the statutes is created to read:

21 16.965 **(3)** Prior to awarding a grant to a local governmental unit under sub.
22 (2), the department shall forward a statement of the expenditures proposed to be
23 made under the grant to the Wisconsin land council for its written approval. The
24 council may approve or disapprove any proposed grant.

1 **SECTION 110p.** 16.965 (3) of the statutes, as created by 1999 Wisconsin Act ...
2 (this act), is repealed.

3 **SECTION 110q.** 16.965 (4) of the statutes is created to read:

4 16.965 (4) In determining whether to approve a proposed grant, greater
5 precedence shall be accorded to applications of local governmental units that contain
6 all of the following elements:

7 (a) Planning efforts that address the interests of overlapping or neighboring
8 jurisdictions.

9 (b) Planning efforts that contain a specific description of the means by which
10 all of the following local, comprehensive planning goals will be achieved:

11 1. Promotion of the redevelopment of lands with existing infrastructure and
12 public services and the maintenance and rehabilitation of existing residential,
13 commercial and industrial structures.

14 2. Encouragement of neighborhood designs that support a range of
15 transportation choices.

16 3. Protection of natural areas, including wetlands, wildlife habitats, lakes,
17 woodlands, open spaces and groundwater resources.

18 4. Protection of economically productive areas, including farmland and forests.

19 5. Encouragement of land uses, densities and regulations that promote
20 efficient development patterns and relatively low municipal, state governmental
21 and utility costs.

22 6. Preservation of cultural, historic and archaeological sites.

23 7. Encouragement of coordination and cooperation among nearby units of
24 government.

1 8. Building of community identity by revitalizing main streets and enforcing
2 design standards.

3 9. Providing an adequate supply of affordable housing for individuals of all
4 income levels throughout each community.

5 10. Providing adequate infrastructure and public services and an adequate
6 supply of developable land to meet existing and future market demand for
7 residential, commercial and industrial uses.

8 11. Promoting the expansion or stabilization of the current economic base and
9 the creation of a range of employment opportunities at the state, regional and local
10 levels.

11 12. Balancing individual property rights with community interests and goals.

12 13. Planning and development of land uses that create or preserve varied and
13 unique urban and rural communities.

14 14. Providing an integrated, efficient and economical transportation system
15 that affords mobility, convenience and safety and that meets the needs of all citizens,
16 including transit-dependent and disabled citizens.

17 (c) Planning efforts that identify smart growth areas.

18 (d) Planning efforts, including subsequent updates and amendments, that
19 include development of implementing ordinances, including ordinances pertaining
20 to zoning, subdivisions and land division.

21 (e) Planning efforts for which completion is contemplated within 30 months of
22 the date on which a grant would be awarded.

23 (f) Planning efforts that provide opportunities for public participation
24 throughout the planning process.

1 **SECTION 110r.** 16.965 (4) of the statutes, as created by 1999 Wisconsin Act ...
2 (this act), is repealed.

3 **SECTION 110s.** 16.965 (5) of the statutes is created to read:

4 16.965 (5) The Wisconsin land council may promulgate rules specifying the
5 methodology whereby precedence will be accorded to applications in awarding
6 grants under sub. (2).

7 **SECTION 110t.** 16.965 (5) of the statutes, as created by 1999 Wisconsin Act ...
8 (this act), is repealed.

9 **SECTION 110w.** 16.9651 of the statutes is created to read:

10 **16.9651 Transportation planning grants to local governmental units.**

11 **(1)** In this section, “local governmental unit” means a county, city, village, town or
12 regional planning commission.

13 **(2)** From the appropriation under s. 20.505 (1) (z), the department may provide
14 grants to local governmental units to be used to finance the cost of planning activities
15 related to the transportation element, as described in s. 66.0295 (2) (c), of a
16 comprehensive plan, as defined in s. 66.0295 (1) (a), including contracting for
17 planning consultant services, public planning sessions and other planning outreach
18 and educational activities, or for the purchase of computerized planning data,
19 planning software or the hardware required to utilize that data or software. The
20 department may require any local governmental unit that receives a grant under
21 this section to finance not more than 25% of the cost of the product or service to be
22 funded by the grant from the resources of the local governmental unit. Prior to
23 awarding a grant under this section, the department shall forward a detailed
24 statement of the proposed expenditures to be made under the grant to the secretary

1 of transportation and obtain his or her written approval of the proposed
2 expenditures.

3 **SECTION 114m.** 16.967 (11) of the statutes is created to read:

4 16.967 (11) SOIL SURVEYS AND MAPPING. (a) The board may conduct soil surveys
5 and soil mapping activities. The board may assess any state agency for any amount
6 that the board determines to be required to conduct soil surveys and soil mapping
7 activities. For this purpose, the board may assess state agencies on a premium basis
8 and pay costs incurred on an actual basis. The board shall credit all moneys received
9 from state agencies under this paragraph to the appropriation account under s.
10 20.505 (1) (kt).

11 (b) The board may contract with the board of commissioners of public lands to
12 perform soil surveys and soil mapping activities on lands under the jurisdiction of
13 the board of commissioners of public lands.

14 **SECTION 114n.** 16.967 (11) of the statutes, as created by 1999 Wisconsin Act
15 (this act), is repealed.

16 **SECTION 114nm.** 16.969 of the statutes is created to read:

17 **16.969 Fees for certain high-voltage transmission lines. (1)** In this
18 section:

19 (a) “Commission” means the public service commission.

20 (b) “High-voltage transmission line” means a high-voltage transmission line,
21 as defined in s. 196.491 (1) (f), that is designed for operation at a nominal voltage of
22 345 kilovolts or more.

23 (2) The department shall promulgate rules that require a person who is issued
24 a certificate of public convenience and necessity by the commission under s. 196.491

25 (3) for a high-voltage transmission line to pay the department the following fees:

1 (a) An annual impact fee in an amount equal to 0.3% of the cost of the
2 high-voltage transmission line, as determined by the commission under s. 196.491
3 (3) (gm).

4 (b) A one-time environmental impact fee in an amount equal to 5% of the cost
5 of the high-voltage transmission line, as determined by the commission under s.
6 196.491 (3) (gm).

7 **(3)** (a) The department shall distribute the fees that are paid by a person under
8 the rules promulgated under sub. (2) (a) to each town, village and city that is
9 identified by the commission under s. 196.491 (3) (gm) in proportion to the amount
10 of investment that is allocated by the commission under s. 196.491 (3) (gm) to each
11 such town, village and city.

12 (b) The fee that is paid by a person under the rules promulgated under sub. (2)
13 (b) shall be distributed as follows:

14 1. The department shall pay 50% of the fee to each county that is identified by
15 the commission under s. 196.491 (3) (gm) in proportion to the amount of investment
16 that is allocated by the commission under s. 196.491 (3) (gm) to each such county.

17 2. The department shall pay 50% of the fee to each town, village and city that
18 is identified by the commission under s. 196.491 (3) (gm) in proportion to the amount
19 of investment that is allocated by the commission under s. 196.491 (3) (gm) to each
20 such town, village and city.

21 **(4)** A county, town, village or city that receives a distribution under sub. (3) (b)
22 may use the distribution only for park, conservancy, wetland or other similar
23 environmental programs.

24 **SECTION 114p.** 16.971 (5) of the statutes is repealed.

25 **SECTION 115.** 16.971 (9) of the statutes is amended to read:

1 16.971 (9) In conjunction with the public defender board, the director of state
2 courts, the departments of corrections and justice and district attorneys, the division
3 may maintain, promote and coordinate automated justice information systems that
4 are compatible among counties and the officers and agencies specified in this
5 subsection, using the moneys appropriated under s. 20.505 (1) (ja) ~~and~~, (kp) and (kq).
6 When acting under this subsection, the division shall give priority to assisting
7 counties that show the greatest need for additional assistant district attorney
8 positions based on a weighted prosecutor caseload measurement formula developed
9 by the state prosecutors office in the department of administration, unless such a
10 county informs the division that it does not want to be given priority in receiving
11 assistance. The division shall annually report to the legislature under s. 13.172 (2)
12 concerning the division's efforts to improve and increase the efficiency of integration
13 of justice information systems.

14 **SECTION 116.** 16.974 (7) of the statutes is amended to read:

15 16.974 (7) (a) ~~Subject to s. 196.218 (4r) (f), coordinate~~ Coordinate with the
16 technology for educational achievement in Wisconsin board to provide school
17 districts, and cooperative educational service agencies ~~and technical college districts~~
18 with telecommunications access under s. ~~196.218 (4r)~~ 44.73 and contract with
19 telecommunications providers to provide such access.

20 (b) ~~Coordinate~~ Subject to s. 44.73 (5), coordinate with the technology for
21 educational achievement in Wisconsin board to provide private colleges ~~and~~,
22 technical college districts, public library boards and public library systems with
23 telecommunications access under s. ~~196.218 (4r)~~ 44.73 and contract with
24 telecommunications providers to provide such access.

1 (c) Coordinate with the technology for educational achievement in Wisconsin
2 board to provide private schools with telecommunications access under s. ~~196.218~~
3 ~~(4r)~~ 44.73 and contract with telecommunications providers to provide such access.

4 **SECTION 117.** 16.974 (7) (d) of the statutes is created to read:

5 16.974 (7) (d) Coordinate with the technology for educational achievement in
6 Wisconsin board to provide the Wisconsin Center for the Blind and Visually Impaired
7 and the Wisconsin School for the Deaf with telecommunications access under s. 44.73
8 and contract with telecommunications providers to provide such access.

9 **SECTION 117m.** 16.98 (4) of the statutes is created to read:

10 16.98 (4) From the appropriation under s. 20.505 (1) (fo), the department may
11 provide grants to any organization with which the department contracts to operate
12 the program under sub. (1).

13 **SECTION 118.** 17.13 (intro.) of the statutes is amended to read:

14 **17.13 Removal of village, town, town sanitary district, school district**
15 **and, technical college and family care district officers.** (intro.) Officers of
16 towns, town sanitary districts, villages, school districts and, technical college
17 districts and family care districts may be removed as follows:

18 **SECTION 119.** 17.13 (4) of the statutes is created to read:

19 17.13 (4) APPOINTIVE OFFICERS OF A FAMILY CARE DISTRICT. Any member of a
20 family care district board appointed under s. 46.2895 (3) (a) 1., by the appointing
21 authority for cause.

22 **SECTION 120.** 17.15 (5) of the statutes is created to read:

23 17.15 (5) FAMILY CARE DISTRICT. Any member of a family care district governing
24 board appointed under s. 46.2895 (3) (a) 2. may be removed by the appointing
25 authority for cause.

1 **SECTION 121.** 17.27 (3m) of the statutes is created to read:

2 17.27 **(3m)** FAMILY CARE DISTRICT BOARD. If a vacancy occurs in the position of
3 any appointed member of a family care district board, the appointing authority shall
4 appoint to serve for the residue of the unexpired term a person who meets the
5 applicable requirements under s. 46.2895 (3) (b).

6 **SECTION 122.** 18.51 of the statutes is amended to read:

7 **18.51 Provisions applicable.** The following sections apply to this
8 subchapter, except that all references to “public debt” or “debt” ~~are deemed~~ shall be
9 read to refer to a “revenue obligation” and all references to “evidences of
10 indebtedness” shall be read to refer to “evidences of revenue obligation”: ss. 18.02,
11 18.03, 18.06 (8), 18.07, 18.10 (1), (2), (4) to (9) and (11) and 18.17.

12 **SECTION 123.** 18.52 (2m) (intro.) of the statutes is created to read:

13 18.52 **(2m)** (intro.) “Enterprise obligation” means every undertaking by the
14 state to repay a certain amount of borrowed money that is all of the following:

15 **SECTION 124.** 18.52 (5) (intro.) of the statutes is renumbered 18.52 (5) and
16 amended to read:

17 18.52 **(5)** “Revenue obligation” means every ~~undertaking by the state to repay~~
18 ~~a certain amount of borrowed money which is:~~ an enterprise obligation or a special
19 fund obligation. A revenue obligation may be both an enterprise obligation and a
20 special fund obligation.

21 **SECTION 125.** 18.52 (5) (a) of the statutes is renumbered 18.52 (2m) (a) and
22 amended to read:

23 18.52 **(2m)** (a) Created for the purpose of purchasing, acquiring, leasing,
24 constructing, extending, expanding, adding to, improving, conducting, controlling,
25 operating or managing a revenue-producing enterprise or program;

1 **SECTION 126.** 18.52 (5) (b) of the statutes is renumbered 18.52 (2m) (b) and
2 amended to read:

3 18.52 **(2m)** (b) Payable ~~solely~~ from and secured ~~solely~~ by the property or income
4 or both of the enterprise or program; ~~and.~~

5 **SECTION 127.** 18.52 (5) (c) of the statutes is renumbered 18.52 (2m) (c).

6 **SECTION 128.** 18.52 (7) of the statutes is created to read:

7 18.52 **(7)** “Special fund obligation” means every undertaking by the state to
8 repay a certain amount of borrowed money that is all of the following:

9 (a) Payable from a special fund consisting of fees, penalties or excise taxes.

10 (b) Not public debt under s. 18.01 (4).

11 **SECTION 129.** 18.52 (8) of the statutes is created to read:

12 18.52 **(8)** “Special fund program” means a state program or purpose with
13 respect to which the legislature has determined that financing with special fund
14 obligations is appropriate and will serve a public purpose.

15 **SECTION 130.** 18.53 (3) of the statutes is renumbered 18.53 (3) (intro.) and
16 amended to read:

17 18.53 **(3)** (intro.) The commission shall authorize money to be borrowed and
18 evidences of revenue obligation to be issued ~~therefor up to the amounts specified by~~
19 ~~the legislature to purchase, acquire, lease, construct, extend, expand, add to,~~
20 ~~improve, conduct, control, operate or manage such revenue producing enterprises~~
21 ~~or programs as are specified by the legislature as the funds are required.~~ The
22 requirements for funds shall be established by the state department or agency head
23 carrying out program responsibilities for which the revenue obligations have been
24 authorized by the legislature., but shall not exceed the following:

25 **SECTION 131.** 18.53 (3) (a) and (b) of the statutes are created to read:

1 18.53 (3) (a) In the case of enterprise obligations, the amounts specified by the
2 legislature to purchase, acquire, lease, construct, extend, expand, add to, improve,
3 conduct, control, operate or manage such revenue-producing enterprises or
4 programs as are specified by the legislature.

5 (b) In the case of special fund obligations, the amount specified by the
6 legislature for such expenditures to be paid from special fund obligations.

7 **SECTION 131m.** 18.55 (3) of the statutes is amended to read:

8 18.55 (3) (title) ~~REVENUE OBLIGATION BONDS~~ REVENUE OBLIGATIONS.
9 ~~Revenue-obligation bonds~~ Revenue obligations may be sold at either public or
10 private sale. The commission may provide in the authorizing resolution for
11 refunding ~~bonds~~ obligations that they be exchanged privately in payment and
12 discharge of any of the outstanding bonds or notes being refunded. All
13 ~~revenue-obligation bonds~~ revenue obligations sold at public sale shall be noticed as
14 provided in the authorizing resolution. Any or all bids received at public sale may
15 be rejected.

16 **SECTION 132.** 18.56 (1) of the statutes is renumbered 18.56 and amended to
17 read:

18 **18.56 Revenue bonds obligations.** The commission may authorize, for any
19 of the purposes described in s. 18.53 (3), the issuance of ~~revenue-obligation bonds~~
20 revenue obligations. The ~~bonds~~ revenue obligations shall mature at any time not
21 exceeding 50 years from the date thereof as the commission shall determine. The
22 ~~bonds~~ revenue obligations shall be payable only out of the redemption fund provided
23 under sub. s. 18.561 (5) or 18.562 (3) and each ~~bond~~ revenue obligation shall contain
24 on its face a statement to that effect. ~~Any such bonds~~ A revenue obligation may
25 contain a provision authorizing redemption, in whole or in part, at stipulated prices,

1 at the option of the commission and shall provide the method of redeeming the ~~bonds~~.
2 ~~The state and a contracting party may provide in any contract for purchasing or~~
3 ~~acquiring a revenue-producing enterprise or program, that payment shall be made~~
4 ~~in such bonds revenue obligations.~~

5 **SECTION 133.** 18.56 (2) to (6) of the statutes are renumbered 18.561 (2) to (6)
6 and amended to read:

7 18.561 (2) SECURITY INTERESTS OF OWNERS OF ENTERPRISE OBLIGATIONS. There
8 ~~shall be~~ is a mortgage lien upon or security interest in the income and property of
9 each revenue-producing enterprise or program ~~to~~ for the benefit of the holders
10 owners of the related bonds ~~and to the holders of the coupons of the bonds.~~ The note
11 ~~or other instrument evidencing the security interest of a bondholder in a loan made~~
12 ~~or purchased with revenue obligation bonds shall constitute a statutory lien on the~~
13 ~~revenue~~ enterprise obligations. No physical delivery, recordation or other action is
14 required to perfect the security interest. The income and property of the
15 ~~revenue-producing enterprise or program shall remain subject to the lien until~~
16 ~~provision for payment in full of the principal and interest of the bonds~~ enterprise
17 obligations has been made, as provided in the authorizing resolution. Any holder
18 owner of such ~~bonds or attached coupons~~ enterprise obligations may either at law or
19 in equity protect and enforce the lien and compel performance of all duties required
20 by this section. If there is any default in the payment of the principal or interest of
21 any of such ~~bonds~~ enterprise obligations, any court having jurisdiction of the action
22 may appoint a receiver to administer the revenue-producing enterprise or program
23 on behalf of the state and the ~~bondholders~~ owners of the enterprise obligations, with
24 power to charge and collect rates sufficient to provide for the payment of the
25 operating expenses and also to pay any ~~bonds or~~ enterprise obligations outstanding

1 against the revenue-producing enterprise or program, and to apply the income and
2 revenues thereof in conformity with this subchapter and the authorizing resolution,
3 or the court may declare the whole amount of the ~~bonds~~ enterprise obligations due
4 and payable, if such relief is requested, and may order and direct the sale of the
5 revenue-producing enterprise or program. Under any sale so ordered, the purchaser
6 shall be vested with an indeterminate permit to maintain and operate the
7 revenue-producing enterprise or program. The legislature may provide for
8 additions, extensions and improvements to a revenue-producing enterprise or
9 program to be financed by additional issues of ~~bonds~~ enterprise obligations as
10 provided by this section. Such additional issues of ~~bonds~~ enterprise obligations shall
11 be subordinate to all prior related issues of ~~bonds~~ enterprise obligations which may
12 have been made under this section, unless the legislature, in the statute authorizing
13 the initial issue of ~~bonds~~ enterprise obligations, permits the issue of additional ~~bonds~~
14 enterprise obligations on a parity therewith.

15 **(3) DEDICATION OF REVENUES.** As accurately as possible in advance, the
16 commission and the state department or agency carrying out program
17 responsibilities for which ~~bonds~~ enterprise obligations are to be issued shall
18 determine, and the commission shall fix in the authorizing resolution for such ~~bonds~~
19 enterprise obligations: the proportion of the revenues of the revenue-producing
20 enterprise or program which shall be necessary for the reasonable and proper
21 operation and maintenance thereof; the proportion of the revenues which shall be set
22 aside as a proper and adequate replacement and reserve fund; and the proportion of
23 the revenues which shall be set aside and applied to the payment of the principal and
24 interest of the ~~bonds~~ enterprise obligations, and shall provide that the revenues be
25 set aside in separate funds. At any time after one year's operation, the state

1 department or agency and the commission may recompute the proportion of the
2 revenues which shall be assignable under this subsection based upon the experience
3 of operation or upon the basis of further financing.

4 (4) REPLACEMENT AND RESERVE FUND. The proportion set aside to the
5 replacement and reserve fund shall be available and shall be used, whenever
6 necessary, to restore any deficiency in the redemption fund for the payment of the
7 principal and interest due on ~~bonds~~ enterprise obligations and for the creation and
8 maintenance of any reserves established by the authorizing resolution to secure such
9 payments. At any time when the redemption fund is sufficient for said purposes,
10 moneys in the replacement and reserve fund may, subject to available
11 appropriations, be expended either in the revenue-producing enterprise or program
12 or in new acquisitions, constructions, extensions ~~or~~, additions, expansions or
13 improvements. Any accumulations of the replacement and reserve fund may be
14 invested as provided in this subchapter, and if invested, the income from the
15 investment shall be carried in the replacement and reserve fund.

16 (5) REDEMPTION FUND. The proportion which shall be set aside for the payment
17 of the principal and interest ~~of such bonds~~ on the enterprise obligations shall from
18 month to month as they accrue and are received, be set apart and paid into a separate
19 fund in the treasury or in an account maintained by a trustee ~~under sub. (9) (j)~~
20 appointed for that purpose in the authorizing resolution to be identified as “the ...
21 redemption fund”. Each redemption fund shall be expended, and all moneys from
22 time to time on hand therein are irrevocably appropriated, in sums sufficient, only
23 for the payment of principal and interest on the ~~revenue~~ enterprise obligations giving
24 rise to it and premium, if any, due upon ~~refunding~~ redemption of any such
25 obligations. Moneys in the redemption funds may be commingled only for the

1 purpose of investment with other public funds, but they shall be invested only in
2 investment instruments permitted in s. 25.17 (3) (dr). All such investments shall be
3 the exclusive property of the fund and all earnings on or income from such
4 investments shall be credited to the fund.

5 **(6) REDEMPTION FUND SURPLUS.** If any surplus is accumulated in any of the
6 redemption funds, subject to any contract rights vested in ~~holders~~ owners of revenue
7 enterprise obligations secured thereby, it shall be paid over to the treasury.

8 **SECTION 134.** 18.56 (7) and (8) of the statutes are renumbered 18.561 (7) and
9 (8).

10 **SECTION 135.** 18.56 (9) (intro.) of the statutes is renumbered 18.561 (9) and
11 amended to read:

12 18.561 **(9) AUTHORIZING RESOLUTION.** The commission may provide in the
13 authorizing resolution for ~~bonds~~ enterprise obligations or by subsequent action all
14 things necessary to carry into effect this section. Any authorizing resolution shall
15 constitute a contract with the ~~holder~~ owners of any ~~bonds~~ enterprise obligations
16 issued pursuant to such ~~the~~ resolution. Any authorizing resolution may contain such
17 provisions or covenants, without limiting the generality of the power to adopt the
18 resolution, as is are deemed necessary or desirable for the security of ~~bondholders~~
19 the owners of enterprise obligations or the marketability of the ~~bonds, including but~~
20 ~~not limited to provisions as to:~~ enterprise obligations.

21 **SECTION 136m.** 18.56 (9) (a) to (j) of the statutes are repealed.

22 **SECTION 137.** 18.56 (10) of the statutes is renumbered 18.561 (10) and amended
23 to read:

24 18.561 **(10) SINKING FUND.** The authorizing resolution may set apart ~~bonds~~
25 enterprise obligations the par value of which are equal to the principal amount of any

1 secured obligation or charge subject to which a revenue-producing enterprise or
2 program is to be purchased or acquired, and shall set aside in a sinking fund from
3 the income of the revenue-producing enterprise or program, a sum sufficient to
4 comply with the requirements of the instrument creating the security, ~~or if interest.~~
5 If the instrument does not make any provision therefor for a sinking fund, the
6 resolution shall fix and determine the amount ~~which~~ that shall be set aside into ~~such~~
7 the sinking fund from month to month for interest on the secured obligation or
8 charge, and a fixed amount or proportion not exceeding a stated sum, which shall be
9 not less than one percent of the principal, to be set aside into the fund to pay the
10 principal of the secured obligation or charge. Any balance in the fund after satisfying
11 the secured obligations or charge, shall be transferred to the redemption fund. ~~Bonds~~
12 Enterprise obligations set aside for the secured obligation or charge may, from time
13 to time, be issued to an amount sufficient with the amount then in the sinking fund,
14 to pay and retire the secured obligation or charge or any portion thereof. ~~The bonds~~
15 enterprise obligations may be issued in exchange for or satisfaction of the secured
16 obligation or charge, or may be sold in the manner provided in this subchapter, and
17 the proceeds applied in payment of the same at maturity or before maturity by
18 agreement with the ~~holder~~ owner of the secured obligation or charge. The
19 commission and the owners of any revenue-producing enterprise or program
20 acquired or purchased may, upon such terms and conditions as are satisfactory,
21 contract that ~~bonds~~ enterprise obligations to provide for the discharge of the secured
22 obligation or charge, or for the whole purchase price shall be deposited with a trustee
23 or depository and released from the deposit from time to time on such terms and
24 conditions as are necessary to secure the payment of the secured obligation or charge.

25 **SECTION 138.** 18.561 (title) of the statutes is created to read:

1 **18.561 (title) Enterprise obligations.**

2 **SECTION 139.** 18.561 (1) of the statutes is created to read:

3 **18.561 (1)** PAYMENT WITH REVENUE OBLIGATIONS. The state and a contracting
4 party may provide, in any contract for purchasing or acquiring a revenue-producing
5 enterprise or program, that payment shall be made in revenue obligations.

6 **SECTION 140.** 18.561 (7) (title) of the statutes is created to read:

7 **18.561 (7)** (title) PAYMENT FOR SERVICES.

8 **SECTION 141.** 18.561 (8) (title) of the statutes is created to read:

9 **18.561 (8)** (title) RATES FOR SERVICES.

10 **SECTION 143.** 18.562 of the statutes is created to read:

11 **18.562 Special fund obligations. (1)** SECURITY INTEREST IN SPECIAL FUND.

12 There is a security interest, for the benefit of the owners of the special fund
13 obligations, in the amounts that arise after the creation of the special fund program
14 in the special fund related to the special fund obligations. For this purpose, amounts
15 in the special fund shall be accounted for on a first-in, first-out basis. No physical
16 delivery, recordation or other action is required to perfect the security interest. The
17 special fund shall remain subject to the security interest until provision for payment
18 in full of the principal and interest of the special fund obligations has been made, as
19 provided in the authorizing resolution. An owner of special fund obligations may
20 either at law or in equity protect and enforce the security interest and compel
21 performance of all duties required by this section.

22 **(2)** USE OF SPECIAL FUND MONEYS. The commission and the state agency carrying
23 out the special fund program responsibilities shall jointly determine, and the
24 commission shall fix in the authorizing resolution for the obligations, the conditions
25 under which money in the special fund shall be set aside and applied to the payment

1 of the principal and interest of the obligations, deposited in funds established under
2 the authorizing resolution or made available for other purposes.

3 **(3) REDEMPTION FUND.** The special fund revenues that are to be set aside for the
4 payment of the principal and interest of the special fund obligations shall be paid into
5 a separate fund in the treasury or in an account maintained by a trustee appointed
6 for that purpose in the authorizing resolution to be identified as “the ... redemption
7 fund”. Each redemption fund shall be expended, and all moneys from time to time
8 on hand therein are irrevocably appropriated, in sums sufficient, only for the
9 payment of principal and interest on the special fund obligations giving rise to it and
10 premium, if any, due upon redemption of any such obligations. Moneys in the
11 redemption funds may be commingled only for the purpose of investment with other
12 public funds, but they shall be invested only in investment instruments permitted
13 in s. 25.17 (3) (dr). All such investments shall be the exclusive property of the fund
14 and all earnings on or income from such investments shall be credited to the fund.

15 **(4) SURPLUS.** If any surplus is accumulated in any of the redemption funds,
16 subject to contract rights vested in the owners of special fund obligations secured
17 thereby, it shall be paid over to the treasury.

18 **(5) AUTHORIZING RESOLUTION.** The commission may provide in the authorizing
19 resolution for special fund obligations or by subsequent action all things necessary
20 to carry into effect this section. Any authorizing resolution shall constitute a
21 contract with the owners of any special fund obligations issued pursuant to the
22 resolution. An authorizing resolution may contain such provisions or covenants,
23 without limiting the generality of the power to adopt the resolution, as are deemed
24 necessary or desirable for the security of owners of special fund obligations or the
25 marketability of the special fund obligations.

1 **SECTION 144.** 18.57 (title) of the statutes is repealed and recreated to read:

2 **18.57 (title) Funds established for revenue obligations.**

3 **SECTION 145.** 18.57 (1) of the statutes is amended to read:

4 18.57 (1) A separate and distinct fund shall be established in the state treasury
5 or in an account maintained by a trustee ~~under s. 18.56~~ appointed for that purpose
6 by the authorizing resolution with respect to each revenue-producing enterprise or
7 program the income from which is to be applied to the payment of any revenue
8 enterprise obligation. A separate and distinct fund shall be established in the state
9 treasury or in an account maintained by a trustee appointed for that purpose by the
10 authorizing resolution with respect to any special fund that is created by the
11 imposition of fees, penalties or excise taxes and is applied to the payment of special
12 fund obligations. All moneys resulting from the issuance of evidences of revenue
13 obligation shall be credited to the appropriate fund or applied for refunding or note
14 renewal purposes, except that moneys which represent premium or accrued interest
15 received on the issuance of evidences shall be credited to the appropriate redemption
16 fund.

17 **SECTION 146.** 18.57 (4) of the statutes is renumbered 18.57 (4) (intro.) and
18 amended to read:

19 18.57 (4) (intro.) If, after all outstanding related revenue obligations have been
20 paid or payment provided for, moneys remain in ~~any such a fund, they~~ created under
21 sub. (1), all of the following shall occur:

22 (a) If the fund created under sub. (1) is in an account maintained by a trustee
23 appointed by an authorizing resolution, the moneys shall be paid over to the treasury
24 and the,

25 (b) The fund created under sub. (1) shall be closed.

1 **SECTION 147.** 18.58 (1) of the statutes is amended to read:

2 **18.58 (1) MANAGEMENT OF FUNDS AND RECORDS.** All funds established under this
3 subchapter which are deposited in the state treasury shall be managed as provided
4 by law for other state funds, subject to any contract rights vested in ~~holders~~ owners
5 of evidences of revenue obligation secured by such fund. The department of
6 administration shall maintain full and correct records of each fund. The legislative
7 audit bureau shall audit each fund as of January 1 of each year reconciling all
8 transactions and showing the fair market value of all property on hand. All records
9 and audits shall be public documents. All funds established under this subchapter
10 which are deposited with a trustee ~~under s. 18.56 (9) (j)~~ appointed for that purpose
11 by the authorizing resolution shall be managed in accordance with resolutions
12 authorizing the issuance of revenue obligations, agreements between the
13 commission and the trustee and any contract rights vested in ~~holders of evidence~~
14 owners of revenue obligations secured by such fund.

15 **SECTION 147m.** 18.60 (title) of the statutes is amended to read:

16 **18.60 (title) Refunding bonds obligations.**

17 **SECTION 148.** 18.60 (1) of the statutes is amended to read:

18 **18.60 (1)** The commission may authorize, for any one or more of the purposes
19 described in s. 18.53 (1), the issuance of revenue–obligation refunding ~~bonds~~
20 obligations. Refunding ~~bonds~~ obligations may be issued, subject to any contract
21 rights vested in ~~holders~~ owners of ~~bonds~~ obligations or notes being refinanced, to
22 refinance more than one issue of ~~bonds~~ obligations or notes notwithstanding that the
23 ~~bonds~~ obligations or notes may have been issued at different times for different
24 purposes and may be secured by the property or income of more than one enterprise
25 or program or special fund or may be public debt or building–corporation

1 indebtedness. The principal amount of refunding bonds obligations shall not exceed
2 the sum of: the principal amount of the bonds obligations or notes being refinanced;
3 applicable redemption premiums; unpaid interest on the bonds obligations or notes
4 to the date of delivery or exchange of the refunding bonds obligations; in the event
5 the proceeds are to be deposited in trust as provided in sub. (3), interest to accrue on
6 the bonds obligations or notes from the date of delivery to the date of maturity or to
7 the redemption date selected by the commission, whichever is earlier; and the
8 expenses incurred in the issuance of the refunding bonds obligations and the
9 payment of the bonds obligations or notes. A determination by the commission that
10 a refinancing is advantageous or that any of the amounts provided in the preceding
11 sentence should be included in the refinancing shall be conclusive.

12 **SECTION 149.** 18.60 (2) of the statutes is amended to read:

13 18.60 (2) If the commission determines to exchange refunding bonds
14 obligations, they may be exchanged privately for and in payment and discharge of
15 any of the outstanding bonds obligations or notes being refinanced. Refunding
16 bonds obligations may be exchanged for a like or greater principal amount of the
17 bonds obligations or notes being exchanged therefor except that the principal
18 amount of the refunding bonds obligations may exceed the principal amount of the
19 bonds obligations or notes being exchanged therefor only to the extent determined
20 by the commission to be necessary or advisable to pay redemption premiums and
21 unpaid interest to the date of exchange not otherwise provided for. The holders
22 owners of the bonds obligations or notes being refunded who elect to exchange need
23 not pay accrued interest on the refunding bonds obligations if and to the extent that
24 interest is accrued and unpaid on the bonds obligations or notes being refunded and
25 to be surrendered. If any of the bonds obligations or notes to be refinanced are to

1 be called for redemption, the commission shall determine which redemption dates
2 shall be used, if more than one date is applicable and shall, prior to the issuance of
3 the refunding ~~bonds~~ obligations, provide for notice of redemption to be given in the
4 manner and at the times required by the proceedings authorizing the outstanding
5 ~~bonds~~ obligations or notes.

6 **SECTION 149g.** 18.60 (3) of the statutes is amended to read:

7 18.60 (3) The principal proceeds from the sale of any refunding ~~bonds~~
8 obligations shall be applied either to the immediate payment and retirement of the
9 ~~bonds~~ obligations or notes being refinanced or, if the ~~bonds~~ obligations or notes have
10 not matured and are not presently redeemable, to the creation of a trust for and shall
11 be pledged to the payment of the ~~bonds~~ obligations or notes being refinanced. If a
12 trust is created, a separate deposit shall be made for each issue of ~~bonds~~ obligations
13 or notes being refinanced. Each deposit shall be with the state treasurer or a bank
14 or trust company that is then a member of the federal deposit insurance corporation.
15 If the total amount of any deposit, including money other than sale proceeds but
16 legally available for such purpose, is less than the principal amount of the ~~bonds~~
17 obligations or notes being refinanced and for the payment of which the deposit has
18 been created and pledged, together with applicable redemption premiums and
19 interest accrued and to accrue to maturity or to the date of redemption, then the
20 application of the sale proceeds shall be legally sufficient only if the money deposited
21 is invested in securities issued by the United States or one of its agencies, or
22 securities fully guaranteed by the United States, and only if the principal amount
23 of the securities at maturity and the income therefrom to maturity will be sufficient
24 and available, without the need for any further investment or reinvestment, to pay
25 at maturity or upon redemption the principal amount of the ~~bonds~~ obligations or

1 notes being refinanced together with applicable redemption premiums and interest
2 accrued and to accrue to maturity or to the date of redemption. The income from the
3 principal proceeds of the securities shall be applied solely to the payment of the
4 principal of and interest and redemption premiums on the ~~bonds~~ obligations or notes
5 being refinanced, but provision may be made for the pledging and disposition of any
6 surplus. Nothing in this subsection shall be construed as a limitation on the duration
7 of any deposit in trust for the retirement of ~~bonds~~ obligations or notes being
8 refinanced, but which have not matured and which are not presently redeemable.
9 Nothing in this subsection shall be construed to prohibit reinvestment of the income
10 of a trust if the reinvestments will mature at such times that sufficient cash will be
11 available to pay interest, applicable premiums and principal on the ~~bonds~~
12 obligations or notes being refinanced.

13 **SECTION 149r.** 18.60 (4) of the statutes is amended to read:

14 18.60 (4) The commission may in addition to the other powers conferred by this
15 subchapter, include a provision in any authorizing resolution for refunding ~~bonds~~
16 obligations pledging all or any part of the special fund or income of any enterprise
17 or program originally financed from the proceeds of any of the ~~bonds~~ obligations or
18 notes being refinanced, or pledging all or any part of the surplus income derived from
19 the investment of any trust created under sub. (3), or both.

20 **SECTION 150.** 18.60 (5) of the statutes is renumbered 18.60 (5) (intro.) and
21 amended to read:

22 18.60 (5) (intro.) All of the following provisions ~~of s. 18.56~~ that are not
23 inconsistent with the express provisions of this section shall apply to refunding
24 ~~bonds~~ obligations, except that the maximum permissible term shall be 50 years from
25 the date of original issue of the oldest note or ~~bond~~ obligation issue being refunded.;

1 **SECTION 151.** 18.60 (5) (a) to (c) of the statutes are created to read:

2 18.60 (5) (a) Section 18.56.

3 (b) In the case of enterprise obligations, s. 18.561.

4 (c) In the case of special fund obligations, s. 18.562.

5 **SECTION 152.** 18.61 (2) of the statutes is amended to read:

6 18.61 (2) The state pledges and agrees with the ~~holders~~ owners of any evidences
7 of revenue ~~obligation~~ obligations that the state will not limit or alter its powers to
8 fulfill the terms of any agreements made with the ~~holders~~ owners or in any way
9 impair the rights and remedies of the ~~holders~~ owners until the revenue obligations,
10 together with interest including interest on any unpaid instalments of interest, and
11 all costs and expenses in connection with any action or proceeding by or on behalf of
12 the ~~holders~~ owners, are fully met and discharged. The commission may include this
13 pledge and agreement of the state in any agreement with the ~~holders of notes or~~
14 ~~bonds and in any evidence~~ owners of revenue obligation.

15 **SECTION 153.** 18.61 (3) (a) of the statutes is amended to read:

16 18.61 (3) (a) If the state fails to pay any revenue obligation in accordance with
17 its terms, and default continues for a period of 30 days or if the state fails or refuses
18 to comply with this subchapter or defaults in any agreement made with the ~~holders~~
19 owners of any issue of revenue obligations, the ~~holders~~ owners of 25% in aggregate
20 principal amount of the revenue obligations of the issue then outstanding by
21 instrument recorded in the office of the register of deeds of Dane county and approved
22 or acknowledged in the same manner as a deed to be recorded may appoint a trustee
23 to represent the ~~holders~~ owners of the ~~notes or bonds~~ revenue obligations for the
24 purposes specifically provided in the instrument.

25 **SECTION 154.** 18.61 (3) (b) (intro.) of the statutes is amended to read:

1 18.61 (3) (b) (intro.) The trustee may, and upon written request of the holders
2 owners of 25% in aggregate principal amount of the revenue obligations of the issue
3 then outstanding shall, in the trustee’s own name:

4 **SECTION 155.** 18.61 (3) (b) 1. of the statutes is amended to read:

5 18.61 (3) (b) 1. By action or proceeding, enforce all rights of all holders owners
6 of the issue of revenue obligations, including the right to require the state to collect
7 enterprise or program income or special fund income adequate to carry out any
8 agreement as to, or pledge of, such income and to require the state to carry out any
9 other agreements with the holders owners of the revenue obligations and to perform
10 its duties under this subchapter;

11 **SECTION 156.** 18.61 (3) (b) 3. of the statutes is amended to read:

12 18.61 (3) (b) 3. By action, require the state to account as if it were the trustee
13 of an express trust for the holders owners of the revenue obligations;

14 **SECTION 157.** 18.61 (3) (b) 4. of the statutes is amended to read:

15 18.61 (3) (b) 4. By action, enjoin any acts or things which may be unlawful or
16 in violation of the rights of the holders owners of the revenue obligations; and

17 **SECTION 158.** 18.61 (3) (c) of the statutes is amended to read:

18 18.61 (3) (c) The trustee shall have all of the powers necessary or appropriate
19 for the exercise of any functions specifically set forth in this subchapter or incident
20 to the general representation of the holders owners of revenue obligations in the
21 enforcement and protection of their rights.

22 **SECTION 159.** 18.61 (4) of the statutes is amended to read:

23 18.61 (4) Any public officer or public employe, as defined in s. 939.22 (30), and
24 the surety on the person’s official bond, or any other person participating in any
25 direct or indirect impairment of any fund established under this subchapter, shall

1 be liable in any action brought by the attorney general in the name of the state, or
2 by any taxpayer of the state, or by the ~~holder of any evidence~~ owner of revenue
3 obligation payable in whole or in part, directly or indirectly, out of such fund, to
4 restore to the fund all diversions from the fund.

5 **SECTION 159m.** 18.61 (5) of the statutes is amended to read:

6 18.61 (5) The legislature may provide, with respect to any specific issue of
7 revenue obligations, prior to their issuance, that if the special fund income or the
8 enterprise or program income pledged to the payment of the principal and interest
9 of the issue is insufficient for that purpose, it will consider supplying the deficiency
10 by appropriation of funds, from time to time, out of the treasury. If the legislature
11 so provides, the commission may make the necessary provisions therefor in the
12 authorizing resolution and other proceedings of the issue. Thereafter, if the
13 contingency occurs, recognizing its moral obligation to do so, the legislature hereby
14 expresses its expectation and aspiration that it shall make such appropriation.

15 **SECTION 160.** 19.32 (1) of the statutes is amended to read:

16 19.32 (1) “Authority” means any of the following having custody of a record: a
17 state or local office, elected official, agency, board, commission, committee, council,
18 department or public body corporate and politic created by constitution, law,
19 ordinance, rule or order; a governmental or quasi-governmental corporation except
20 for the Bradley center sports and entertainment corporation; a local exposition
21 district under subch. II of ch. 229; a family care district under s. 46.2895; any court
22 of law; the assembly or senate; a nonprofit corporation which receives more than 50%
23 of its funds from a county or a municipality, as defined in s. 59.001 (3), and which
24 provides services related to public health or safety to the county or municipality; a

1 nonprofit corporation operating the Olympic ice training center under s. 42.11 (3);
2 or a formally constituted subunit of any of the foregoing.

3 **SECTION 161d.** 19.35 (1) (am) 2. c. of the statutes is amended to read:

4 19.35 (1) (am) 2. c. Endanger the security, including the security of the
5 population or staff, of any state ~~correctional institution, as defined in s. 301.01 (4)~~
6 prison under s. 302.01, jail, as defined in s. 165.85 (2) (bg), secured correctional
7 facility, as defined in s. 938.02 (15m), secured child caring institution, as defined in
8 s. 938.02 (15g), secured group home, as defined in s. 938.02 (15p), mental health
9 institute, as defined in s. 51.01 (12), or center for the developmentally disabled, as
10 defined in s. 51.01 (3), ~~or the population or staff of any of these institutions, facilities~~
11 ~~or jails.~~

12 **SECTION 165.** 19.82 (1) of the statutes is amended to read:

13 19.82 (1) “Governmental body” means a state or local agency, board,
14 commission, committee, council, department or public body corporate and politic
15 created by constitution, statute, ordinance, rule or order; a governmental or
16 quasi-governmental corporation except for the Bradley center sports and
17 entertainment corporation; a local exposition district under subch. II of ch. 229; a
18 family care district under s. 46.2895; a nonprofit corporation operating the Olympic
19 ice training center under s. 42.11 (3); or a formally constituted subunit of any of the
20 foregoing, but excludes any such body or committee or subunit of such body which
21 is formed for or meeting for the purpose of collective bargaining under subch. I, IV
22 or V of ch. 111.

23 **SECTION 166.** 20.002 (11) (b) of the statutes is renumbered 20.002 (11) (b) 1. and
24 amended to read:

1 20.002 (11) (b) 1. The secretary of administration shall limit the total amount
2 of any temporary reallocations to a fund other than the general fund to \$400,000,000.

3 The

4 2. Except as provided in subd. 3, the secretary of administration shall limit the
5 total amount of any temporary reallocations to the general fund at any one time
6 during a fiscal year to an amount equal to 5% of the total amounts shown in the
7 schedule under s. 20.005 (3) of appropriations of general purpose revenues,
8 calculated by the secretary as of that time and for that fiscal year.

9 4. This paragraph does not apply to reallocations from the budget stabilization
10 fund to the general fund.

11 **SECTION 167.** 20.002 (11) (b) 3. of the statutes is created to read:

12 20.002 (11) (b) 3. In addition to the amount permitted for temporary
13 reallocations in subd. 2., the secretary may permit an additional 3% of the total
14 amounts shown in the schedule under s. 20.005 (3) of appropriations of general
15 purpose revenues, calculated by the secretary as of that time and for that fiscal year,
16 to be used for temporary reallocations to the general fund but only if the reallocation
17 is for a period not to exceed 30 days. Reallocations may not be made under this
18 subdivision for consecutive periods.

19 **SECTION 168.** 20.003 (4) of the statutes is renumbered 20.003 (4) (intro.) and
20 amended to read:

21 20.003 (4) REQUIRED GENERAL FUND BALANCE. (intro.) No bill directly or
22 indirectly affecting general purpose revenues as defined in s. 20.001 (2) (a) may be
23 enacted by the legislature if the bill would cause the estimated general fund balance
24 on June 30 of any fiscal year specified in this subsection, as projected under s. 20.005
25 (1), to be an amount equal to less than ~~one percent~~ the following percentage of the

1 total general purpose revenue appropriations for that fiscal year plus any amount
2 from general purpose revenue designated as “Compensation Reserves” for that fiscal
3 year in the summary under s. 20.005 (1):

4 **SECTION 169.** 20.003 (4) (a) to (g) of the statutes are created to read:

5 20.003 (4) (a) For fiscal year 1999–2000, 1%.

6 (b) For fiscal year 2000–01, 1%.

7 (c) For fiscal year 2001–02, 1.2%.

8 (d) For fiscal year 2002–03, 1.4%.

9 (e) For fiscal year 2003–04, 1.6%.

10 (f) For fiscal year 2004–05, 1.8%.

11 (g) For fiscal year 2005–06 and each fiscal year thereafter, 2%.

12 **SECTION 170.** 20.005 (1) of the statutes is repealed and recreated to read:

13 20.005 (1) SUMMARY OF ALL FUNDS. The budget governing fiscal operations for
14 the state of Wisconsin for all funds beginning on July 1, 1999, and ending on
15 June 30, 2001, is summarized as follows: [See Figure 20.005 (1) following]

16 **Figure: 20.005 (1)**

GENERAL FUND SUMMARY

	1999–00	2000–01
Opening Balance, July 1	\$ 714,970,000	\$ 1,005,583,400
Revenues and Transfers		
Estimated Taxes	\$ 10,407,005,100	\$ 10,182,971,100
Transfers from the Computer Escrow Fund	64,000,000	–0–
Estimated Departmental Revenues		
Tobacco Settlement	185,031,900	148,984,800
Other	<u>254,180,800</u>	<u>183,447,300</u>

	1999-00	2000-01
Total Available	\$ 11,625,187,800	\$ 11,520,986,600
Appropriations, Transfers and Reserves		
Gross Appropriations	\$ 10,616,351,800	\$ 11,160,657,000
Compensation Reserves	56,100,000	117,750,000
1999 Act 4	500,000	–0–
Transfers to:		
Conservation Fund	–0–	500,000
Tobacco Control Fund	2,492,000	23,500,000
Lottery Fund	37,207,000	216,689,300
Less estimated lapses	<u>–93,046,400</u>	<u>–115,926,800</u>
Total Expenditures	\$ 10,619,604,400	\$ 11,403,169,500
Balances		
Gross Balance	\$ 1,005,583,400	\$ 117,817,100
Less Required Statutory Balance	<u>–106,724,500</u>	<u>–112,784,100</u>
Net Balance, June 30	\$ 898,858,900	\$ 5,033,000

SUMMARY OF APPROPRIATIONS — ALL FUNDS

	1999-00	2000-01
General Purpose Revenue	\$ 10,616,351,800	\$ 11,160,657,000
Federal Revenue	5,085,403,000	4,690,281,100
Program Revenue	(4,452,979,100)	(4,108,258,100)
Segregated Revenue	(632,423,900)	(582,023,000)
Program Revenue	2,650,181,600	2,722,470,700
State	(1,908,108,400)	(1,967,626,400)
Service	(742,073,200)	(754,844,300)
Segregated Revenue	2,328,268,500	2,547,710,600

	1999-00	2000-01
State	(2,105,196,400)	(2,330,287,000)
Local	(71,673,000)	(65,570,000)
Service	<u>(151,399,100)</u>	<u>(151,853,600)</u>
GRAND TOTAL	\$ 20,680,204,900	\$ 21,121,119,400

SUMMARY OF COMPENSATION RESERVES — ALL FUNDS

	1999-00	2000-01
General Purpose Revenue	\$ 56,100,000	\$ 117,750,000
Federal Revenue	15,948,200	33,474,100
Program Revenue	43,016,300	90,288,200
Segregated Revenue	<u>10,019,100</u>	<u>21,029,600</u>
TOTAL	\$ 125,083,600	\$ 262,541,900

LOTTERY FUND SUMMARY

	1999-2000	2000-01
Gross Revenue	\$ 419,223,600	\$ 427,363,200
Expenses		
Prizes	\$ 239,736,200	\$ 244,368,500
Administrative Expenses	<u>-0-</u>	<u>-0-</u>
	\$ 239,736,200	\$ 244,368,500
Net Proceeds	\$ 179,487,400	\$ 182,994,700

	1999-2000	2000-01
Total Available for Property Tax Relief		
Opening Balance	\$ 15,340,500	\$ 8,384,500
Net Proceeds	179,487,400	182,994,700
Interest Earnings	2,465,000	2,240,000
Transfer from General Fund	37,207,000	216,689,300
1998-99 Racing Revenue Balance	<u>981,700</u>	<u>-0-</u>
	\$ 235,481,600	\$ 410,308,500
Property Tax Relief	\$ 227,097,100	\$ 401,761,200
Gross Closing Balance	\$ 8,384,500	\$ 8,547,300
Reserve	\$ (8,384,500)	\$ (8,547,300)
Net Closing Balance	-0-	-0-

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SECTION 171. 20.005 (2) of the statutes is repealed and recreated to read:

20.005 (2) STATE BORROWING PROGRAM SUMMARY. The following schedule sets forth the state borrowing program summary: [See Figures 20.005 (2) (a) and (b) following]

Figure: 20.005 (2) (a)

**SUMMARY OF BONDING AUTHORITY MODIFICATIONS
1999-01 FISCAL BIENNIUM**

Source and Purpose	Amount
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GENERAL OBLIGATIONS

Agriculture, Trade and Consumer Protection

Source and Purpose	Amount
Soil and water	3,575,000
Conservation reserve enhancement program	40,000,000
Building Commission	
Other public purposes	137,303,500
Housing state agencies	68,419,000
Project contingencies	7,955,200
Capital equipment acquisitions	21,058,300
Refunding building corporation debt	-1,070,000
Milwaukee Police Athletic League	1,000,000
Swiss Cultural Center	1,000,000
Clean Water Fund	
Safe drinking water loan program	14,080,000
Urban storm water loan program	4,100,000
Corrections	
Correctional facilities	102,998,800
Juvenile correctional facilities	1,285,000
Educational Communications Board	
Educational communications facilities	304,000
Health and Family Services	
Mental health and secure treatment facilities	6,993,200
Historical Society	
Heritage trust	20,000,000
Marquette University	
Dental clinic and educational facility	15,000,000
Military Affairs	

Source and Purpose	Amount
Armories and military facilities	827,100
Natural Resources	
GPR supported administrative facilities	2,586,600
SEG supported facilities	4,630,000
SEG supported administrative facilities	2,905,900
Recreational boating	112,000
Nonpoint source grants	20,400,000
Nonpoint source compliance	2,000,000
Urban nonpoint source cost sharing	15,000,000
Municipal flood control and riparian restoration	13,000,000
Transportation	
Harbor improvements	7,000,000
Rail acquisition	4,500,000
State Fair Park	
Board facilities	1,887,100
Self-amortizing facilities	16,937,100
Stewardship 2000	460,000,000
University of Wisconsin	
Academic facilities	65,699,600
Self-amortizing facilities	75,692,800
Veterans Affairs	
Mortgage loans self amortizing	213,000,000
Self-amortizing mortgage loans	<u>13,909,100</u>

Source and Purpose		Amount
TOTAL General Obligation Bonds	\$	1,352,389,300

REVENUE OBLIGATIONS

Commerce		
PECFA	\$	270,000,000
Clean water fund		
Safe drinking water loan program		27,700,000
Transportation		
Major highway projects		191,635,600
TOTAL Revenue Obligation Bonds	\$	489,335,600
GRAND TOTAL Bonding Authority Modifications	\$	1,841,724,900

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Figure: 20.005 (2) (b)

**GENERAL OBLIGATION AND
BUILDING CORPORATION DEBT SERVICE
FISCAL YEARS 1999-00 AND 2000-01**

STATUTE, AGENCY AND PURPOSE	SOURCE	1999-00	2000-01
<i>20.115 Agriculture, trade and consumer protection, department of</i>			
(2) (d) Principal repayment and interest	GPR	\$ -0-	\$ -0-
(7) (f) Principal repayment and interest	GPR	48,500	180,600
<i>20.190 State fair park board</i>			
(1) (c) Housing facilities principal repayment, interest and rebates	GPR	867,000	864,000

STATUTE, AGENCY AND PURPOSE	SOURCE	1999-00	2000-01
(1) (d) Principal repayment and interest	GPR	17,600	128,700
<i>20.225 Educational communications board</i>			
(1) (c) Principal repayment and interest	GPR	1,059,400	837,500
<i>20.245 Historical society</i>			
(1) (e) Principal repayment, interest and rebates	GPR	5,400	33,800
(2) (e) Principal repayment and interest	GPR	927,100	786,500
(3) (e) Principal repayment and interest	GPR	–0–	50,000
(4) (e) Principal repayment and interest	GPR	–0–	–0–
(5) (e) Principal repayment and interest	GPR	503,900	498,100
<i>20.250 Medical College of Wisconsin</i>			
(1) (e) Principal repayment and interest	GPR	185,300	158,700
<i>20.255 Public instruction, department of</i>			
(1) (d) Principal repayment and interest	GPR	1,255,700	1,130,000
<i>20.275 Technology for educational achievement in Wisconsin board</i>			
(1) (er) Principal, interest and rebates; public library boards	GPR	101,600	633,100
(1) (es) Principal, interest and rebates; school boards	GPR	2,070,600	4,709,400
<i>20.285 University of Wisconsin System</i>			
(1) (d) Principal repayment and interest	GPR	88,471,100	80,293,000
(1) (db) Self-amortizing facilities principal and interest	GPR	–0–	–0–
(1) (fh) State laboratory of hygiene; principal repayment and interest	GPR	–0–	–0–

STATUTE, AGENCY AND PURPOSE		SOURCE	1999-00	2000-01
<i>20.320 Environmental improvement program</i>				
(1)	(c) Principal repayment and interest – clean water fund program	GPR	27,137,500	31,081,100
(2)	(c) Principal repayment and interest – safe drinking water loan program	GPR	974,600	1,348,200
<i>20.370 Natural resources, department of</i>				
(7)	(aa) Resource acquisition and development – principal repayment and interest	GPR	19,297,900	21,489,000
(7)	(ac) Principal repayment and interest – recreational boating bonds	GPR	–0–	–0–
(7)	(ba) Debt service – remedial action	GPR	1,623,600	2,452,500
(7)	(ca) Principal repayment and interest – nonpoint source grants	GPR	2,340,200	2,643,200
(7)	(cb) Principal repayment and interest – pollution abatement bonds	GPR	71,590,000	69,540,700
(7)	(cc) Principal repayment and interest – combined sewer overflow; pollution abatement bonds	GPR	17,271,500	16,998,300
(7)	(cd) Principal repayment and interest – municipal clean drinking water grants	GPR	848,100	846,900
(7)	(ce) Principal repayment and interest – nonpoint source compliance	GPR	54,200	168,900
(7)	(cf) Urban nonpoint source cost sharing	GPR	–0–	–0–
(7)	(cg) Municipal flood control and riparian restoration	GPR	–0–	–0–

STATUTE, AGENCY AND PURPOSE	SOURCE	1999-00	2000-01
(7) (ea) Administrative facilities – principal repayment and interest	GPR	520,400	568,700
<i>20.410 Corrections, department of</i>			
(1) (e) Principal repayment and interest	GPR	49,422,800	49,709,200
(1) (ec) Prison industries principal; interest and rebates	GPR	–0–	–0–
(3) (e) Principal repayment and interest	GPR	4,361,400	4,131,600
<i>20.435 Health and family services, department of</i>			
(2) (ee) Principal repayment and interest	GPR	10,373,700	10,925,900
(2) (ef) Lease rental payments	GPR	–0–	–0–
(6) (e) Principal repayment and interest	GPR	32,500	31,400
<i>20.465 Military affairs, department of</i>			
(1) (d) Principal repayment and interest	GPR	3,092,900	2,977,100
<i>20.485 Veterans affairs, department of</i>			
(1) (e) Lease rental payments	GPR	–0–	–0–
(1) (f) Principal repayment and interest	GPR	1,551,000	1,526,000
(4) (f) Repayment of principal and interest	GPR	–0–	–0–
<i>20.505 Administration, department of</i>			
(5) (c) Principal repayment and interest; Black Point Estate	GPR	21,700	135,100
(5) (d) Principal repayment and interest; educational communication board	GPR	–0–	–0–
<i>20.867 Building commission</i>			
(1) (a) Principal repayment and interest; housing of state agencies	GPR	–0–	–0–

STATUTE, AGENCY AND PURPOSE		SOURCE	1999-00	2000-01
(1)	(b) Principal repayment and interest; capitol and executive residence	GPR	2,689,600	7,159,000
(3)	(a) Principal repayment and interest	GPR	–0–	20,013,700
(3)	(b) Principal repayment and interest	GPR	49,900	–0–
(3)	(e) Principal repayment, interest and rebates; parking ramp	GPR	–0–	–0–
TOTAL General Purpose Revenue Debt Service			\$ 308,766,700	\$ 334,049,900

20.190 State fair park board

(1)	(j) State fair principal repayment, interest and rebates	PR	\$ 1,554,800	\$ 1,701,700
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20.245 Historical society

(2)	(j) Self-amortizing facilities; principal repayment, interest and rebates	PR	155,400	243,600
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20.275 Technology for educational achievement in Wisconsin board

(1)	(h) Principal, interest and rebates; school boards	PR	2,942,300	4,711,600
(1)	(hb) Principal, interest and rebates; public library boards	PR	278,800	633,100

20.285 University of Wisconsin System

(1)	(ih) State laboratory of hygiene; principal repayment and interest.	PR	–0–	–0–
(1)	(kd) Principal repayment, interest and rebates	PR	25,858,600	30,629,000
(1)	(ke) Lease rental payments	PR	–0–	–0–

20.410 Corrections, department of

(1)	(ko) Prison industries principal repayment, interest and rebates	PR	97,600	101,900
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STATUTE, AGENCY AND PURPOSE	SOURCE	1999-00	2000-01
<i>20.485 Veterans affairs, department of</i>			
(1) (go) Self-amortizing housing facilities; principal repayment and interest	PR	–0–	56,700
<i>20.505 Administration, department of</i>			
(5) (g) Principal repayment, interest and rebates; parking	PR	1,251,800	1,255,200
(5) (kc) Principal repayment, interest and rebates	PR	9,509,600	9,122,500
<i>20.855 Miscellaneous</i>			
(8) (a) Marquette University; dental clinic and educational facility	PR	–0–	–0–
<i>20.867 Building commission</i>			
(3) (bm) Principal repayment and interest	PR	–0–	–0–
(3) (g) Principal repayment, interest and rebates; program revenues	PR	–0–	–0–
(3) (h) Principal repayment, interest and rebates	PR	–0–	–0–
(3) (i) Principal repayment, interest and rebates; capital equipment	PR	–0–	–0–
TOTAL Program Revenue Debt Service		<u>\$ 41,648,900</u>	<u>\$ 48,455,300</u>
<i>20.320 Environmental improvement program</i>			
(1) (t) Principal repayment and interest – clean water fund program bonds	SEG	\$ 4,000,000	\$ 4,000,000
(1) (u) Principal repayment and interest – clean water fund program revenue obligation repayment	SEG	–0–	–0–
<i>20.370 Natural resources, department of</i>			
(7) (aq) Resource acquisition and development – principal repayment and interest	SEG	238,700	247,900

(7)	(ar)	Dam repair and removal – principal repayment and interest	SEG	245,600	457,900
(7)	(at)	Recreation development – principal repayment and interest	SEG	–0–	–0–
(7)	(au)	State forest acquisition and development	SEG	2,000,000	2,000,000
(7)	(eq)	Administrative facilities – principal repayment and interest	SEG	1,280,100	1,500,200
(7)	(er)	Administrative facilities – principal repayment and interest; environmental fund	SEG	11,100	11,500
<i>20.395 Transportation, department of</i>					
(6)	(aq)	Principal repayment and interest, transportation facilities, state funds	SEG	6,110,100	6,015,900
(6)	(ar)	Principal repayment and interest, buildings, state funds	SEG	510,100	327,600
<i>20.485 Veterans affairs, department of</i>					
(3)	(t)	Debt service	SEG	71,080,000	76,633,900
(3)	(v)	Revenue obligation repayment	SEG	–0–	–0–
(4)	(qm)	Repayment of principal and interest	SEG	<u>10,800</u>	<u>10,700</u>
TOTAL Segregated Revenue Debt Service				\$ 85,486,500	\$ 91,205,600
GRAND TOTAL All Debt Service				\$ 435,902,100	\$ 473,710,800

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2 **SECTION 172.** 20.005 (3) of the statutes, as affected by 1999 Wisconsin Act 2,

3 is repealed and recreated to read:

4 20.005 **(3)** APPROPRIATIONS. The following schedule sets forth all annual,

5 biennial and sum certain continuing appropriations and anticipated expenditures

6 from other appropriations for the programs and other purposes indicated. All

1 appropriations are made from the general fund unless otherwise indicated. The
2 letter abbreviations shown designating the type of appropriation apply to both fiscal
3 years in the schedule unless otherwise indicated. [See Figure 20.005 (3) following]

4 **Figure: 20.005 (3)**

6	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
	Commerce				
7	20.115 Agriculture, trade and consumer protection, department of				
8	(1) FOOD SAFETY AND CONSUMER PROTECTION				
9	(a) General program operations	GPR	A	–0–	–0–
10	Food inspection	GPR	A	3,287,400	3,287,400
11	Meat and poultry inspection	GPR	A	2,811,000	2,811,000
12	Trade and consumer protection	GPR	A	2,738,900	2,738,900
	NET APPROPRIATION			8,837,300	8,837,300
13	(c) Automobile repair regulation	GPR	A	381,800	381,800
14	(g) Related services	PR	A	25,500	25,500
15	(gb) Food regulation	PR	A	3,720,100	3,720,100
16	(gf) Fruit and vegetable inspection	PR	C	1,390,700	1,390,700
17	(gh) Public warehouse regulation	PR	A	88,000	88,000
18	(gm) Dairy and vegetable security and				
19	trade practices	PR	A	635,200	635,200
20	(h) Grain inspection and certification	PR	C	2,795,000	2,795,000
21	(hm) Ozone-depleting refrigerants and				
22	products regulation	PR	A	334,500	334,500

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(i) Sale of supplies	PR	A	32,000	32,000
2	(j) Weights and measures inspection	PR	A	843,700	843,700
3	(jb) Consumer information and				
4	education	PR	A	75,000	75,000
5	(jm) Warehouse keeper and grain dealer				
6	regulation	PR	C	323,900	323,900
7	(m) Federal funds	PR-F	C	2,942,200	2,942,200
8	(r) Unfair sales act	SEG	A	124,400	124,400
9	(s) Weights and measures; petroleum				
10	inspection fund	SEG	A	367,000	367,000
11	(u) Recyclable and nonrecyclable				
12	products regulation	SEG	A	-0-	-0-
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			9,219,100	9,219,100
	PROGRAM REVENUE			13,205,800	13,205,800
	FEDERAL			(2,942,200)	(2,942,200)
	OTHER			(10,263,600)	(10,263,600)
	SEGREGATED FUNDS			491,400	491,400
	OTHER			(491,400)	(491,400)
	TOTAL-ALL SOURCES			22,916,300	22,916,300
13	(2) ANIMAL HEALTH SERVICES				
14	(a) General program operations	GPR	A	-0-	-0-
15	Animal health services	GPR	A	3,475,500	3,475,500
	NET APPROPRIATION			3,475,500	3,475,500
16	(b) Animal disease indemnities	GPR	S	108,600	108,600
17	(c) Financial assistance for				
18	paratuberculosis testing	GPR	A	100,000	100,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(d) Principal repayment and interest	GPR	S	-0-	-0-
2	(g) Related services	PR	A	2,202,500	2,202,500
3	(gb) Animal health and disease				
4	research; gifts and grants	PR	C	-0-	-0-
5	(h) Sale of supplies	PR	A	30,300	30,300
6	(ha) Inspection, testing and enforcement	PR	C	246,200	246,200
7	(i) Mink research assessments	PR	A	6,000	6,000
8	(j) Dog licenses, rabies control and				
9	related services	PR	A	119,500	119,500
10	(k) Animal health contractual services	PR-S	C	-0-	-0-
11	(m) Federal funds	PR-F	C	125,800	125,800
	(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			3,684,100	3,684,100
	PROGRAM REVENUE			2,730,300	2,730,300
	FEDERAL			(125,800)	(125,800)
	OTHER			(2,604,500)	(2,604,500)
	SERVICE			(-0-)	(-0-)
	TOTAL-ALL SOURCES			6,414,400	6,414,400
12	(3) MARKETING SERVICES				
13	(a) General program operations	GPR	A	1,909,800	1,909,800
14	(c) Export promotion program	GPR	A	300,000	300,000
15	(g) Related services	PR	A	-0-	-0-
16	(ga) Gifts and grants	PR	C	25,000	25,000
17	(h) Grain inspection and certification	PR	C	-0-	-0-
18	(i) Marketing orders and agreements	PR	C	80,200	80,200
19	(j) Stray voltage program	PR	A	273,400	273,400

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(ja) Marketing services and materials	PR	C	302,000	302,000
2	(jm) Stray voltage program; rural				
3	electric cooperatives	PR	A	18,200	18,200
4	(L) Something special from Wisconsin				
5	promotion	PR	A	30,500	30,500
6	(m) Federal funds	PR-F	C	199,400	199,400
(3) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			2,209,800	2,209,800
	PROGRAM REVENUE			928,700	928,700
	FEDERAL			(199,400)	(199,400)
	OTHER			(729,300)	(729,300)
	TOTAL-ALL SOURCES			3,138,500	3,138,500
7	(4) AGRICULTURAL ASSISTANCE				
8	(a) Aid to Wisconsin livestock breeders				
9	association	GPR	A	40,000	40,000
10	(b) Aids to county and district fairs	GPR	A	585,000	585,000
11	(c) Agricultural investment aids	GPR	B	400,000	400,000
12	(cd) Federal dairy policy reform	GPR	B	50,000	50,000
13	(d) Farmers tuition assistance grants	GPR	B	5,000	5,000
14	(e) Aids to world dairy expo, inc.	GPR	A	25,000	25,000
15	(f) Exposition center grants	GPR	A	240,000	240,000
16	(i) Agricultural investment aids; gifts				
17	and grants	PR	C	-0-	-0-
(4) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			1,345,000	1,345,000
	PROGRAM REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			1,345,000	1,345,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(7) AGRICULTURAL RESOURCE MANAGEMENT				
2	(a) General program operations	GPR	A	1,755,200	1,776,800
3	(b) Principle repayment and interest,				
4	conservation enhancement reserve	GPR	S	-0-	-0-
5	(c) Soil and water resource				
6	management program	GPR	C	2,390,300	5,875,700
7	(d) Drainage board grants	GPR	A	-0-	500,000
8	(dr) Town of Troy grant, purchase of				
9	development rights	GPR	B	500,000	-0-
10	(f) Principal repayment and interest,				
11	soil and water	GPR	S	48,500	180,600
12	(g) Agricultural impact statements	PR	C	172,500	172,500
13	(ga) Related services	PR	C	108,800	108,800
14	(gb) Agricultural resource management;				
15	gifts and grants	PR	C	-0-	-0-
16	(gm) Seed testing and labeling	PR	C	70,300	70,300
17	(h) Fertilizer research assessments	PR	C	160,500	160,500
18	(ha) Liming material research funds	PR	C	25,000	25,000
19	(ja) Plant protection	PR	C	114,600	127,600
20	(k) Agricultural resource management				
21	services	PR-S	C	231,100	231,100
22	(m) Federal funds	PR-F	C	2,130,700	2,130,700

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(q) Gypsy moth eradication;				
2	conservation fund	SEG	A	940,000	943,800
3	(qb) Gypsy moth eradication; segregated				
4	revenues	SEG	C	216,700	220,600
5	(qc) Plant protection; conservation fund	SEG	A	75,000	81,000
6	(qd) Soil and water management;				
7	environmental fund	SEG	A	2,283,700	4,825,000
8	(r) General program operations;				
9	agricultural management	SEG	A	1,142,000	1,142,000
10	(s) Groundwater — standards;				
11	implementation	SEG	A	778,900	778,900
12	(t) Fertilizer, additives and commercial				
13	feed regulation	SEG	A	741,900	741,900
14	(u) Pesticide regulation and admin. of				
15	agricultural chemical cleanup				
16	program	SEG	A	2,207,100	2,207,100
17	(uc) Pesticide sales and use reporting				
18	system administration	SEG	C	–0–	–0–
19	(ue) Pesticide sales and use reporting				
20	system development	SEG	C	–0–	–0–
21	(v) Chemical and container disposal	SEG	A	560,400	560,400
22	(wm) Agricultural chemical cleanup				
23	reimbursement	SEG	C	2,917,300	3,738,600
(7) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			4,694,000	8,333,100
	PROGRAM REVENUE			3,013,500	3,026,500

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	1999-00	2000-01
	FEDERAL			(2,130,700)	(2,130,700)
	OTHER			(651,700)	(664,700)
	SERVICE			(231,100)	(231,100)
	SEGREGATED FUNDS			11,863,000	15,239,300
	OTHER			(11,863,000)	(15,239,300)
	TOTAL-ALL SOURCES			19,570,500	26,598,900
1	(8) CENTRAL ADMINISTRATIVE SERVICES				
2	(a) General program operations	GPR	A	4,162,600	4,162,600
3	(g) Gifts and grants	PR	C	-0-	-0-
4	(ga) Milk standards program	PR	C	388,100	388,100
5	(gm) Enforcement cost recovery	PR	A	25,000	25,000
6	(h) Sale of material and supplies	PR	C	50,600	50,600
7	(ha) General laboratory related services	PR	C	40,000	40,000
8	(hm) Restitution	PR	C	-0-	-0-
9	(i) Related services	PR	A	201,200	201,200
10	(j) Electronic processing	PR	C	-0-	-0-
11	(k) Computer system equipment, staff				
12	and services	PR-S	A	2,004,400	1,504,400
13	(kL) Central services	PR-S	C	698,100	698,100
14	(km) General laboratory services	PR-S	B	2,351,500	2,351,500
15	(kp) General laboratory services; other				
16	agencies	PR-S	C	40,100	40,100
17	(ks) State contractual services	PR-S	C	-0-	-0-
18	(m) Federal funds	PR-F	C	40,000	40,000
19	(pz) Indirect cost reimbursements	PR-F	C	458,200	458,200

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
(8) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			4,162,600	4,162,600
PROGRAM REVENUE			6,297,200	5,797,200
FEDERAL			(498,200)	(498,200)
OTHER			(704,900)	(704,900)
SERVICE			(5,094,100)	(4,594,100)
TOTAL-ALL SOURCES			10,459,800	9,959,800
20.115 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			25,314,600	28,953,700
PROGRAM REVENUE			26,175,500	25,688,500
FEDERAL			(5,896,300)	(5,896,300)
OTHER			(14,954,000)	(14,967,000)
SERVICE			(5,325,200)	(4,825,200)
SEGREGATED FUNDS			12,354,400	15,730,700
OTHER			(12,354,400)	(15,730,700)
TOTAL-ALL SOURCES			63,844,500	70,372,900

1	20.143 Commerce, department of				
2	(1) ECONOMIC AND COMMUNITY DEVELOPMENT				
3	(a) General program operations	GPR	A	5,433,500	5,433,500
4	(b) Economic development promotion,				
5	plans and studies	GPR	A	120,000	120,000
6	(bm) Aid to Forward Wisconsin, inc.	GPR	A	500,000	500,000
7	(br) Brownfields grant program; general				
8	purpose revenue	GPR	A	-0-	-0-
9	(c) Wisconsin development fund;				
10	grants, loans and assistance	GPR	B	7,503,800	7,503,800
11	(cb) WI Dev. Fund; tech. & pollut.				
12	control & abatement grant & loans,				
13	assistance	GPR	B	-0-	-0-

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(cf) Community-based nonprofit				
2	organization grant for educational				
3	project	GPR	A	-0-	-0-
4	(dr) Main street program	GPR	A	460,700	461,400
5	(e) Technology-based economic				
6	development	GPR	A	198,300	198,300
7	(em) Hazardous pollution prevention;				
8	contract	GPR	A	-0-	-0-
9	(en) Business development initiative	GPR	A	150,000	150,000
10	(er) Rural economic development				
11	program	GPR	B	656,500	656,500
12	(ew) International trade, business and				
13	economic development grants	GPR	B	-0-	-0-
14	(fg) Community-based economic				
15	development programs	GPR	A	762,100	762,100
16	(fm) Minority business projects; grants				
17	and loans	GPR	B	329,200	329,200
18	(fy) Women's business incubator grant	GPR	B	-0-	-0-
19	(g) Gifts, grants and proceeds	PR	C	607,000	607,000
20	(gc) Business development assistance				
21	center	PR	C	-0-	-0-
22	(gm) Wisconsin development fund,				
23	administration of grants and loans	PR	C	108,100	108,100
24	(h) Economic development operations	PR	A	-0-	-0-

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(hm) Certified capital companies	PR	C	-0-	-0-
2	(id) Gaming economic diversification				
3	grants and loans; repayments	PR	A	-0-	-0-
4	(ie) Wisconsin development fund,				
5	repayments	PR	C	2,500,000	2,500,000
6	(if) Mining economic development				
7	grants and loans; repayments	PR	C	-0-	-0-
8	(ig) Gaming economic development				
9	grants and loans; repayments	PR	A	-0-	-0-
10	(im) Minority business projects;				
11	repayments	PR	C	267,200	267,200
12	(in) Business development initiative				
13	loan repayments	PR	C	60,000	60,000
14	(ir) Rural economic development loan				
15	repayments	PR	C	120,100	120,100
16	(jc) Physician and health care provider				
17	loan assistance prog. repay.;				
18	penalties	PR	C	-0-	-0-
19	(jL) Health care provider loan				
20	assistance program; local				
21	contributions	PR	C	-0-	-0-
22	(jm) Physician loan assistance program;				
23	local contributions	PR	C	-0-	-0-
24	(k) Sale of materials or services	PR-S	C	260,200	260,200

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(ka) Sale of materials and services —				
2	local assistance	PR-S	C	-0-	-0-
3	(kb) Sale of materials and services —				
4	individuals and organizations	PR-S	C	-0-	-0-
5	(kc) Clean air act compliance assistance	PR-S	A	169,400	169,400
6	(kf) American Indian economic				
7	development; technical assistance	PR-S	A	25,000	25,000
8	(kg) American Indian economic				
9	development; liaison	PR-S	A	59,700	59,700
10	(kh) American Indian economic				
11	development; liaison-grants	PR-S	A	25,000	25,000
12	(kj) Gaming economic development				
13	grants and loans	PR-S	A	3,894,300	2,514,600
14	(km) Gaming economic diversification				
15	grants and loans	PR-S	A	-0-	2,500,000
16	(kr) Physician and hlth. care provider				
17	loan assist. programs, repay. &				
18	contracts	PR-S	C	388,700	388,700
19	(L) Recycling market development;				
20	repayments	PR	C	2,300,000	2,300,000
21	(m) Federal aid, state operations	PR-F	C	1,293,800	1,293,800
22	(n) Federal aid, local assistance	PR-F	C	34,400,000	34,400,000
23	(o) Federal aid, individuals and				
24	organizations	PR-F	C	-0-	-0-

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(qa) Brownfields redevelopment				
2	activities; administration	SEG	A	269,000	269,000
3	(qm) Brownfields grant program;				
4	environmental fund	SEG	A	5,800,000	6,400,000
5	(r) Mining economic development				
6	grants and loans	SEG	C	–0–	–0–
7	(st) Recycling market development				
8	board; operations	SEG	A	141,800	141,800
9	(t) Forestry education grant program	SEG	C	100,000	100,000
10	(tm) Recycling market development				
11	board; contracts and assistance	SEG	B	–0–	1,000,000
12	(x) Industrial building construction				
13	loan fund	SEG	C	–0–	–0–
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			16,114,100	16,114,800
	PROGRAM REVENUE			46,478,500	47,598,800
	FEDERAL			(35,693,800)	(35,693,800)
	OTHER			(5,962,400)	(5,962,400)
	SERVICE			(4,822,300)	(5,942,600)
	SEGREGATED FUNDS			6,310,800	7,910,800
	OTHER			(6,310,800)	(7,910,800)
	TOTAL-ALL SOURCES			68,903,400	71,624,400
14	(3) REGULATION OF INDUSTRY, SAFETY AND BUILDINGS				
15	(a) General program operations	GPR	A	–0–	–0–
16	(de) Private sewage system replacement				
17	and rehabilitation	GPR	C	3,500,000	3,500,000
18	(dm) Storage tank inventory	GPR	A	–0–	–0–
19	(g) Gifts and grants	PR	C	18,000	18,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(ga) Auxiliary services	PR	C	25,000	25,000
2	(gb) Local agreements	PR	C	-0-	-0-
3	(h) Local energy resource system fees	PR	A	-0-	-0-
4	(j) Safety and buildings operations	PR	A	16,043,800	16,273,100
5	(ka) Interagency agreements	PR-S	C	101,200	101,200
6	(ks) Data processing	PR-S	C	-0-	-0-
7	(L) Fire dues distribution	PR	C	7,000,000	7,000,000
8	(La) Fire prevention and fire dues				
9	administration	PR	A	623,600	623,600
10	(Lm) Petroleum storage remedial action				
11	fees	PR	A	-0-	112,200
12	(m) Federal funds	PR-F	C	621,800	621,800
13	(ma) Federal aid program administration	PR-F	C	-0-	-0-
14	(pz) Indirect cost reimbursements	PR-F	C	-0-	-0-
15	(q) Groundwater standards;				
16	implementation	SEG	A	-0-	-0-
17	(r) Safety and buildings operations;				
18	petroleum inspection fund	SEG	A	6,801,600	6,831,400
19	(sa) Administration of mobile homes	SEG	A	-0-	76,400
20	(t) Petroleum inspection fund –				
21	revenue obligation repayment	SEG	S	-0-	-0-
22	(v) Petroleum storage environmental				
23	remedial action; awards	SEG	B	94,131,700	94,131,700

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(w) Petroleum storage environmental				
2	remedial action; administration	SEG	A	2,707,200	2,646,000
	(3) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			3,500,000	3,500,000
	PROGRAM REVENUE			24,433,400	24,774,900
	FEDERAL			(621,800)	(621,800)
	OTHER			(23,710,400)	(24,051,900)
	SERVICE			(101,200)	(101,200)
	SEGREGATED FUNDS			103,640,500	103,685,500
	OTHER			(103,640,500)	(103,685,500)
	TOTAL-ALL SOURCES			131,573,900	131,960,400
3	(4) EXECUTIVE AND ADMINISTRATIVE SERVICES				
4	(a) General program operations	GPR	A	1,701,300	1,701,900
5	(g) Gifts, grants and proceeds	PR	C	12,000	12,000
6	(k) Sale of materials or services	PR-S	C	43,100	43,100
7	(ka) Sale of materials and services —				
8	local assistance	PR-S	C	–0–	–0–
9	(kb) Sale of materials and services —				
10	individuals and organizations	PR-S	C	–0–	–0–
11	(kd) Administrative services	PR-S	A	3,352,300	3,368,400
12	(ke) Transfer of unappropriated				
13	balances	PR-S	C	–0–	–0–
14	(m) Federal aid, state operations	PR-F	C	–0–	–0–
15	(n) Federal aid, local assistance	PR-F	C	–0–	–0–
16	(o) Federal aid, individuals and				
17	organizations	PR-F	C	–0–	–0–
18	(pz) Indirect cost reimbursements	PR-F	C	153,200	106,300

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
(4) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			1,701,300	1,701,900
PROGRAM REVENUE			3,560,600	3,529,800
FEDERAL			(153,200)	(106,300)
OTHER			(12,000)	(12,000)
SERVICE			(3,395,400)	(3,411,500)
TOTAL-ALL SOURCES			5,261,900	5,231,700
20.143 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			21,315,400	21,316,700
PROGRAM REVENUE			74,472,500	75,903,500
FEDERAL			(36,468,800)	(36,421,900)
OTHER			(29,684,800)	(30,026,300)
SERVICE			(8,318,900)	(9,455,300)
SEGREGATED FUNDS			109,951,300	111,596,300
OTHER			(109,951,300)	(111,596,300)
TOTAL-ALL SOURCES			205,739,200	208,816,500

1 20.144 Financial institutions, department of

2 (1) SUPERVISION OF FINANCIAL INSTITUTIONS, SECURITIES REG. AND OTHER FUNCTIONS

3	(a)	Losses on public deposits	GPR	S	-0-	-0-
4	(g)	General program operations	PR	A	11,804,600	11,696,900
5	(h)	Gifts, grants, settlements and				
6		publications	PR	C	65,000	65,000
7	(i)	Investor education fund	PR	A	100,000	100,000
8	(u)	State deposit fund	SEG	S	-0-	-0-

(1) PROGRAM TOTALS

GENERAL PURPOSE REVENUES			-0-	-0-
PROGRAM REVENUE			11,969,600	11,861,900
OTHER			(11,969,600)	(11,861,900)
SEGREGATED FUNDS			-0-	-0-
OTHER			(-0-)	(-0-)
TOTAL-ALL SOURCES			11,969,600	11,861,900

9 (2) OFFICE OF CREDIT UNIONS

10	(g)	General program operations	PR	A	1,729,200	1,772,300
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	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(m) Credit union examinations, federal				
2	funds	PR-F	C	-0-	-0-
	(2) PROGRAM TOTALS				
	PROGRAM REVENUE			1,729,200	1,772,300
	FEDERAL			(-0-)	(-0-)
	OTHER			(1,729,200)	(1,772,300)
	TOTAL-ALL SOURCES			1,729,200	1,772,300
	20.144 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUES			-0-	-0-
	PROGRAM REVENUE			13,698,800	13,634,200
	FEDERAL			(-0-)	(-0-)
	OTHER			(13,698,800)	(13,634,200)
	SEGREGATED FUNDS			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			13,698,800	13,634,200
3	20.145 Insurance, office of the commissioner of				
4	(1) SUPERVISION OF THE INSURANCE INDUSTRY				
5	(g) General program operations	PR	A	10,699,700	10,715,000
6	(gm) Gifts and grants	PR	C	-0-	-0-
7	(h) Holding company restructuring				
8	expenses	PR	C	-0-	-0-
9	(k) Administrative and support				
10	services	PR-S	A	3,481,200	3,390,900
11	(m) Federal funds	PR-F	C	-0-	-0-
	(1) PROGRAM TOTALS				
	PROGRAM REVENUE			14,180,900	14,105,900
	FEDERAL			(-0-)	(-0-)
	OTHER			(10,699,700)	(10,715,000)
	SERVICE			(3,481,200)	(3,390,900)
	TOTAL-ALL SOURCES			14,180,900	14,105,900
12	(2) PATIENTS COMPENSATION FUND				

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(q) Interest earned on future medical				
2	expenses	SEG	S	-0-	-0-
3	(u) Administration	SEG	A	979,400	696,700
4	(um) Peer review council	SEG	A	102,500	102,500
5	(v) Specified responsibilities, inv. board				
6	payments and future medical				
7	expenses	SEG	C	54,702,000	54,697,400
	(2) PROGRAM TOTALS				
	SEGREGATED FUNDS			55,783,900	55,496,600
	OTHER			(55,783,900)	(55,496,600)
	TOTAL-ALL SOURCES			55,783,900	55,496,600
8	(3) LOCAL GOVERNMENT PROPERTY INSURANCE FUND				
9	(u) Administration	SEG	A	647,200	669,700
10	(v) Specified payments, fire dues and				
11	reinsurance	SEG	C	9,637,200	9,637,200
	(3) PROGRAM TOTALS				
	SEGREGATED FUNDS			10,284,400	10,306,900
	OTHER			(10,284,400)	(10,306,900)
	TOTAL-ALL SOURCES			10,284,400	10,306,900
12	(4) STATE LIFE INSURANCE FUND				
13	(u) Administration	SEG	A	601,800	541,200
14	(v) Specified payments and losses	SEG	C	2,980,000	2,980,000
	(4) PROGRAM TOTALS				
	SEGREGATED FUNDS			3,581,800	3,521,200
	OTHER			(3,581,800)	(3,521,200)
	TOTAL-ALL SOURCES			3,581,800	3,521,200
	20.145 DEPARTMENT TOTALS				
	PROGRAM REVENUE			14,180,900	14,105,900
	FEDERAL			(-0-)	(-0-)
	OTHER			(10,699,700)	(10,715,000)

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	1999-00	2000-01
	SERVICE			(3,481,200)	(3,390,900)
	SEGREGATED FUNDS			69,650,100	69,324,700
	OTHER			(69,650,100)	(69,324,700)
	TOTAL-ALL SOURCES			83,831,000	83,430,600
1	20.155 Public service commission				
2	(1) REGULATION OF PUBLIC UTILITIES				
3	(g) Utility regulation	PR	A	12,485,100	12,504,000
4	(h) Holding company and nonutility				
5	affiliate regulation	PR	C	585,000	585,000
6	(i) Mobile home park regulation				
7	20.155(1)(i)	PR	A	59,100	59,100
8	(j) Intervenor financing	PR	A	500,000	500,000
9	(jm) Stray voltage research	PR	A	200,000	200,000
10	(L) Stray voltage program	PR	A	200,000	200,000
11	(Lb) Gifts for stray voltage program	PR	C	-0-	-0-
12	(Lm) Consumer education and awareness	PR	C	185,000	-0-
13	(m) Federal funds	PR-F	C	75,200	75,200
14	(n) Indirect costs reimbursement	PR-F	C	19,000	19,000
15	(q) Universal telecommunications				
16	service	SEG	A	8,000,000	-0-
	(1) PROGRAM TOTALS				
	PROGRAM REVENUE			14,308,400	14,142,300
	FEDERAL			(94,200)	(94,200)
	OTHER			(14,214,200)	(14,048,100)
	SEGREGATED FUNDS			8,000,000	-0-
	OTHER			(8,000,000)	(-0-)
	TOTAL-ALL SOURCES			22,308,400	14,142,300

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(2) OFFICE OF THE COMMISSIONER OF RAILROADS				
2	(g) Railroad regulation and general				
3	program operations	PR	A	483,300	483,300
4	(m) Railroad regulation; federal funds	PR-F	C	-0-	-0-
	(2) PROGRAM TOTALS				
	PROGRAM REVENUE			483,300	483,300
	FEDERAL			(-0-)	(-0-)
	OTHER			(483,300)	(483,300)
	TOTAL-ALL SOURCES			483,300	483,300
	20.155 DEPARTMENT TOTALS				
	PROGRAM REVENUE			14,791,700	14,625,600
	FEDERAL			(94,200)	(94,200)
	OTHER			(14,697,500)	(14,531,400)
	SEGREGATED FUNDS			8,000,000	-0-
	OTHER			(8,000,000)	(-0-)
	TOTAL-ALL SOURCES			22,791,700	14,625,600
5	20.165 Regulation and licensing, department of				
6	(1) PROFESSIONAL REGULATION				
7	(g) General program operations	PR	A	9,258,300	9,283,400
8	(gm) Applicant investigation				
9	reimbursement	PR	C	180,100	180,100
10	(h) Technical assistance; nonstate				
11	agencies and organizations	PR	C	-0-	-0-
12	(i) Examinations; general program				
13	operations	PR	C	2,299,000	2,299,000
14	(k) Technical assistance; state agencies	PR-S	C	-0-	-0-
15	(m) Federal funds	PR-F	C	-0-	-0-
	20.165 DEPARTMENT TOTALS				
	PROGRAM REVENUE			11,737,400	11,762,500
	FEDERAL			(-0-)	(-0-)

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
OTHER			(11,737,400)	(11,762,500)
SERVICE			(-0-)	(-0-)
TOTAL-ALL SOURCES			11,737,400	11,762,500
1 20.190 State fair park board				
2 (1) STATE FAIR PARK				
3 (c) Housing facilities principal				
4 repayment, interest and rebates	GPR	S	867,000	864,000
5 (d) Principal repayment and interest	GPR	S	17,600	128,700
6 (h) State fair operations	PR	A	12,472,800	12,645,100
7 (i) State fair capital expenses	PR	C	448,000	448,000
8 (j) State fair principal repayment,				
9 interest and rebates	PR	S	1,554,800	1,701,700
10 (jm) Gifts and grants	PR	C	-0-	-0-
11 (m) Federal funds	PR-F	C	-0-	-0-
20.190 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			884,600	992,700
PROGRAM REVENUE			14,475,600	14,794,800
FEDERAL			(-0-)	(-0-)
OTHER			(14,475,600)	(14,794,800)
TOTAL-ALL SOURCES			15,360,200	15,787,500
Commerce				
FUNCTIONAL AREA TOTALS				
GENERAL PURPOSE REVENUES			47,514,600	51,263,100
PROGRAM REVENUE			169,532,400	170,515,000
FEDERAL			(42,459,300)	(42,412,400)
OTHER			(109,947,800)	(110,431,200)
SERVICE			(17,125,300)	(17,671,400)
SEGREGATED FUNDS			199,955,800	196,651,700
FEDERAL			(-0-)	(-0-)
OTHER			(199,955,800)	(196,651,700)
SERVICE			(-0-)	(-0-)
LOCAL			(-0-)	(-0-)
TOTAL-ALL SOURCES			417,002,800	418,429,800

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
Education					
1	20.215 Arts board				
2	(1) SUPPORT OF ARTS PROJECTS				
3	(a) General program operations	GPR	A	327,000	327,100
4	(b) State aid for the arts	GPR	A	1,390,500	1,240,500
5	(c) Portraits of governors	GPR	A	–0–	–0–
6	(d) Challenge grant program	GPR	A	819,800	819,800
7	(e) High point fund	GPR	A	50,000	50,000
8	(f) Wisconsin regranting program	GPR	A	150,000	150,000
9	(fm) Portage county arts alliance	GPR	A	50,000	–0–
10	(g) Gifts and grants; state operations	PR	C	20,000	20,000
11	(h) Gifts and grants; aids to individuals				
12	and organizations	PR	C	–0–	–0–
13	(k) Funds received from other state				
14	agencies	PR-S	C	–0–	–0–
15	(ka) Percent-for-art administration	PR-S	A	–0–	–0–
16	(km) State aid for the arts; Indian				
17	gaming receipts	PR-S	A	25,200	25,200
18	(m) Federal grants; state operations	PR-F	C	350,100	350,100
19	(o) Federal grants; aids to individuals				
20	and organizations	PR-F	C	275,000	275,000
20.215 DEPARTMENT TOTALS					
	GENERAL PURPOSE REVENUES			2,787,300	2,587,400
	PROGRAM REVENUE			670,300	670,300
	FEDERAL			(625,100)	(625,100)

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
	OTHER			(20,000)	(20,000)
	SERVICE			(25,200)	(25,200)
	TOTAL-ALL SOURCES			3,457,600	3,257,700
1	20.225 Educational communications board				
2	(1) INSTRUCTIONAL TECHNOLOGY				
3	(a) General program operations	GPR	A	3,905,400	3,906,100
4	(b) Energy costs	GPR	A	425,200	425,200
5	(c) Principal repayment and interest	GPR	S	1,059,400	837,500
6	(d) Milwaukee area technical college	GPR	A	330,000	330,000
7	(eg) Transmitter construction	GPR	C	-0-	-0-
8	(er) Transmitter operation	GPR	A	25,000	25,000
9	(f) Programming	GPR	A	1,536,500	1,537,100
10	(g) Gifts, grants, contracts and leases	PR	C	6,543,100	6,545,500
11	(h) Instructional material	PR	A	310,300	310,300
12	(k) Funds received from other state				
13	agencies	PR-S	C	-0-	-0-
14	(kb) Emergency weather warning				
15	system operation	PR-S	A	71,800	71,800
16	(m) Federal grants	PR-F	C	471,800	471,800
	20.225 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUES			7,281,500	7,060,900
	PROGRAM REVENUE			7,397,000	7,399,400
	FEDERAL			(471,800)	(471,800)
	OTHER			(6,853,400)	(6,855,800)
	SERVICE			(71,800)	(71,800)
	TOTAL-ALL SOURCES			14,678,500	14,460,300

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	20.235 Higher educational aids board				
2	(1) STUDENT SUPPORT ACTIVITIES				
3	(b) Tuition grants	GPR	B	20,466,000	21,424,200
4	(cg) Nursing student loans	GPR	A	-0-	-0-
5	(cr) Minority teacher loans	GPR	A	240,000	240,000
6	(cu) Teacher education loan program	GPR	A	250,000	250,000
7	(d) Dental education contract	GPR	A	1,167,000	1,167,000
8	(e) Minnesota-Wisconsin student				
9	reciprocity agreement	GPR	S	-0-	-0-
10	(fc) Independent student grants				
11	program	GPR	B	-0-	-0-
12	(fd) Talent incentive grants	GPR	B	4,311,400	4,725,300
13	(fe) Wisconsin higher education grants;				
14	University of Wisconsin system				
15	students	GPR	B	18,900,300	20,714,700
16	(ff) Wisconsin higher education grants;				
17	technical college students	GPR	B	12,454,600	13,201,900
18	(fg) Minority undergraduate retention				
19	grants program	GPR	B	693,100	693,100
20	(fj) Handicapped student grants	GPR	B	123,800	123,800
21	(fy) Academic excellence higher				
22	education scholarship program	GPR	S	2,900,000	2,900,000
23	(g) Student loans	PR	A	-0-	-0-

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(gg) Nursing student loan repayments	PR	C	–0–	–0–
2	(gm) Indian student assistance;				
3	contributions	PR	C	–0–	–0–
4	(i) Gifts and grants	PR	C	–0–	–0–
5	(k) Indian student assistance	PR-S	B	779,800	779,800
6	(km) Wisconsin higher education grants;				
7	tribal college students	PR-S	B	400,000	400,000
8	(no) Federal aid; aids to individuals and				
9	organizations	PR-F	C	532,700	532,700
(1) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			61,506,200	65,440,000
	PROGRAM REVENUE			1,712,500	1,712,500
	FEDERAL			(532,700)	(532,700)
	OTHER			(–0–)	(–0–)
	SERVICE			(1,179,800)	(1,179,800)
	TOTAL-ALL SOURCES			63,218,700	67,152,500
10	(2) ADMINISTRATION				
11	(aa) General program operations	GPR	A	726,100	726,100
12	(bb) Student loan interest, loans sold or				
13	conveyed	GPR	S	–0–	–0–
14	(bc) Write-off of uncollectible student				
15	loans	GPR	A	–0–	–0–
16	(bd) Purchase of defective student loans	GPR	S	–0–	–0–
17	(ga) Student interest payments	PR	C	1,000	1,000
18	(gb) Student interest payments, loans				
19	sold or conveyed	PR	C	–0–	–0–

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(ia) Student loans; collection and				
2	administration	PR	C	–0–	–0–
3	(ja) Write-off of defaulted student loans	PR	A	–0–	–0–
4	(n) Federal aid; state operations	PR-F	C	–0–	–0–
5	(qa) Student loan revenue obligation				
6	repayment	SEG	C	–0–	–0–
7	(qb) Wisconsin health education loan				
8	revenue obligation repayment	SEG	C	110,200	110,200
	(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			726,100	726,100
	PROGRAM REVENUE			1,000	1,000
	FEDERAL			(–0–)	(–0–)
	OTHER			(1,000)	(1,000)
	SEGREGATED FUNDS			110,200	110,200
	OTHER			(110,200)	(110,200)
	TOTAL-ALL SOURCES			837,300	837,300
	20.235 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUES			62,232,300	66,166,100
	PROGRAM REVENUE			1,713,500	1,713,500
	FEDERAL			(532,700)	(532,700)
	OTHER			(1,000)	(1,000)
	SERVICE			(1,179,800)	(1,179,800)
	SEGREGATED FUNDS			110,200	110,200
	OTHER			(110,200)	(110,200)
	TOTAL-ALL SOURCES			64,056,000	67,989,800
9	20.245 Historical society				
10	(1) ARCHIVES, RESEARCH AND LIBRARY SERVICES				
11	(a) General program operations;				
12	archives and research services	GPR	A	1,958,000	1,855,500
13	(am) General program operations;				
14	library services	GPR	A	2,184,800	2,287,300

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(c) Restoaration of the state capitol;				
2	CD-ROM	GPR	B	50,000	-0-
3	(e) Principal repayment, interest and				
4	rebates	GPR	S	5,400	33,800
5	(g) Admissions, sales and other				
6	receipts	PR	C	529,200	529,200
7	(h) Gifts and grants	PR	C	146,400	146,400
8	(k) Funds received from other state				
9	agencies	PR-S	C	25,000	25,000
10	(m) General program operations;				
11	federal funds	PR-F	C	126,900	126,900
12	(r) Endowment	SEG	C	116,100	116,100
(1) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			4,198,200	4,176,600
	PROGRAM REVENUE			827,500	827,500
	FEDERAL			(126,900)	(126,900)
	OTHER			(675,600)	(675,600)
	SERVICE			(25,000)	(25,000)
	SEGREGATED FUNDS			116,100	116,100
	OTHER			(116,100)	(116,100)
	TOTAL-ALL SOURCES			5,141,800	5,120,200
13	(2) HISTORIC SITES				
14	(a) General program operations	GPR	A	443,200	459,700
15	(bd) Stonefield Village	GPR	A	198,800	198,800
16	(be) Pendarvis and First Capitol	GPR	A	160,300	160,300
17	(bf) Villa Louis	GPR	A	130,200	130,200
18	(bg) Old Wade House	GPR	A	242,500	242,500

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(bh) Madeline Island	GPR	A	6,200	6,200
2	(bi) Old World Wisconsin	GPR	A	635,000	635,000
3	(bj) H. H. Bennett Studios	GPR	A	61,200	61,200
4	(c) Energy costs	GPR	A	93,500	93,500
5	(e) Principal repayment and interest	GPR	S	927,100	786,500
6	(g) Admissions, sales and other				
7	receipts	PR	A	2,445,900	2,856,400
8	(h) Gifts and grants	PR	C	58,000	58,000
9	(j) Self-amortizing facilities; principal				
10	repayment, interest and rebates	PR	S	155,400	243,600
11	(k) Funds received from other state				
12	agencies	PR-S	C	-0-	-0-
13	(km) Northern great lakes center	PR-S	A	170,100	170,100
14	(m) General program operations;				
15	federal funds	PR-F	C	64,300	64,300
16	(r) Endowment	SEG	C	182,100	182,100
17	(y) Northern great lakes center;				
18	interpretive programming	SEG	A	33,700	33,700
(2) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			2,898,000	2,773,900
	PROGRAM REVENUE			2,893,700	3,392,400
	FEDERAL			(64,300)	(64,300)
	OTHER			(2,659,300)	(3,158,000)
	SERVICE			(170,100)	(170,100)
	SEGREGATED FUNDS			215,800	215,800
	OTHER			(215,800)	(215,800)
	TOTAL-ALL SOURCES			6,007,500	6,382,100

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01	
1	(3) HISTORIC AND BURIAL SITES PRESERVATION					
2	(a) General program operations	GPR	A	1,195,700	1,220,700	
3	(b) Plover heritage park	GPR	B	50,000	–0–	
4	(c) Neenah clock tower project	GPR	B	50,000	–0–	
5	(d) Historical markers; state-funded					
6	markers and plaques	GPR	A	10,000	10,000	
7	(dm) Historic preservation	GPR	C	2,400	2,400	
8	(e) Principal repayment, interest and					
9	rebates	GPR	S	–0–	50,000	
10	(g) Admissions, sales and other					
11	receipts	PR	A	7,000	7,000	
12	(gm) Excavation and analysis; cataloged					
13	burial sites	PR	C	–0–	–0–	
14	(h) Gifts and grants	PR	C	16,000	16,000	
15	(k) Funds received from other state					
16	agencies	PR-S	C	–0–	–0–	
17	(m) General program operations;					
18	federal funds	PR-F	C	719,800	719,800	
19	(n) Federal aids	PR-F	C	–0–	–0–	
20	(r) Endowment	SEG	C	–0–	–0–	
	(3) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			1,308,100	1,283,100	
	PROGRAM REVENUE			742,800	742,800	
	FEDERAL			(719,800)	(719,800)	
	OTHER			(23,000)	(23,000)	
	SERVICE			(–0–)	(–0–)	
	SEGREGATED FUNDS			–0–	–0–	

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			2,050,900	2,025,900
1	(4) EXECUTIVE AND ADMINISTRATIVE SERVICES				
2	(a) General program operations	GPR	A	1,873,700	1,873,700
3	(c) Energy costs	GPR	A	148,000	148,000
4	(e) Principal repayment and interest	GPR	S	-0-	-0-
5	(g) Admissions, sales and other				
6	receipts	PR	A	173,100	173,100
7	(h) Gifts and grants	PR	C	170,400	170,400
8	(k) General program operations –				
9	service funds	PR-S	C	359,800	359,800
10	(m) General program operations;				
11	federal funds	PR-F	C	3,000	3,000
12	(pz) Indirect cost reimbursements	PR-F	C	95,000	95,000
13	(q) Endowment principal	SEG	C	-0-	-0-
14	(r) Endowment	SEG	C	161,400	161,400
15	(s) Transfer to Historical Society				
16	endowment fund	SEG	S	-0-	-0-
17	(t) Historical legacy program	SEG	S	-0-	-0-
	(4) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			2,021,700	2,021,700
	PROGRAM REVENUE			801,300	801,300
	FEDERAL			(98,000)	(98,000)
	OTHER			(343,500)	(343,500)
	SERVICE			(359,800)	(359,800)
	SEGREGATED FUNDS			161,400	161,400
	OTHER			(161,400)	(161,400)
	TOTAL-ALL SOURCES			2,984,400	2,984,400

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(5) MUSEUM				
2	(a) General program operations	GPR	A	1,035,300	1,035,300
3	(c) Energy costs	GPR	A	98,700	98,700
4	(e) Principal repayment and interest	GPR	S	503,900	498,100
5	(g) Admissions, sales and other				
6	receipts	PR	C	331,300	331,300
7	(h) Gifts and grants	PR	C	22,200	22,200
8	(k) Funds received from other state				
9	agencies	PR-S	C	1,110,400	1,110,400
10	(m) General program operations;				
11	federal funds	PR-F	C	15,300	15,300
12	(r) Endowment	SEG	C	19,600	19,600
	(5) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			1,637,900	1,632,100
	PROGRAM REVENUE			1,479,200	1,479,200
	FEDERAL			(15,300)	(15,300)
	OTHER			(353,500)	(353,500)
	SERVICE			(1,110,400)	(1,110,400)
	SEGREGATED FUNDS			19,600	19,600
	OTHER			(19,600)	(19,600)
	TOTAL-ALL SOURCES			3,136,700	3,130,900
	20.245 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUES			12,063,900	11,887,400
	PROGRAM REVENUE			6,744,500	7,243,200
	FEDERAL			(1,024,300)	(1,024,300)
	OTHER			(4,054,900)	(4,553,600)
	SERVICE			(1,665,300)	(1,665,300)
	SEGREGATED FUNDS			512,900	512,900
	OTHER			(512,900)	(512,900)
	TOTAL-ALL SOURCES			19,321,300	19,643,500

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	20.250 Medical college of Wisconsin				
2	(1) TRAINING OF HEALTH PERSONNEL				
3	(a) General program operations	GPR	A	4,105,100	4,105,100
4	(b) Family medicine and practice	GPR	A	3,371,900	3,371,900
5	(e) Principal repayment and interest	GPR	S	185,300	158,700
6	(k) Tobacco-related illnesses	PR-S	A	-0-	500,000
	20.250 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUES			7,662,300	7,635,700
	PROGRAM REVENUE			-0-	500,000
	SERVICE			(-0-)	(500,000)
	TOTAL-ALL SOURCES			7,662,300	8,135,700
7	20.255 Public instruction, department of				
8	(1) EDUCATIONAL LEADERSHIP				
9	(a) General program operations	GPR	A	11,637,800	11,726,100
10	(b) Gen pgm ops; school for the deaf				
11	and ctr for the blind and vis				
12	impaired	GPR	A	9,389,500	9,389,500
13	(c) Energy costs; school for the deaf				
14	and center for the blind and vis				
15	impaired	GPR	A	348,000	348,000
16	(d) Principal repayment and interest	GPR	S	1,255,700	1,130,000
17	(dt) Educational assessment program	GPR	A	394,100	417,400
18	(dw) Pupil assessment	GPR	A	3,352,400	4,412,400
19	(g) Student activity therapy	PR	A	6,500	6,500

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(gb) School for the deaf and center for				
2	the blind and vis impaired; nonres				
3	fees	PR	C	84,000	86,000
4	(gh) School for the deaf and ctr for the				
5	blind and vis impaired;				
6	hospitalization	PR	C	-0-	-0-
7	(gL) Center for the blind and visually				
8	impaired; leasing of space	PR	C	-0-	-0-
9	(gs) School for the deaf and center for				
10	the blind and vis impaired; services	PR	C	-0-	-0-
11	(gt) School for the deaf and ctr for the				
12	blind and vis impaired; pupil transp	PR	A	906,300	906,300
13	(hf) Administrative leadership academy	PR	A	-0-	-0-
14	(hg) Personnel certific., teacher supply,				
15	info. and analysis and teacher				
16	improv.	PR	A	2,361,800	2,361,800
17	(hm) Services for drivers	PR	A	231,500	231,500
18	(i) Publications	PR	A	559,900	559,900
19	(im) Library products and services	PR	C	660,700	660,700
20	(jg) School lunch handling charges	PR	A	2,997,500	2,997,500
21	(jm) Professional services center charges	PR	A	140,000	155,000
22	(jr) Gifts, grants and trust funds	PR	C	395,000	395,000
23	(js) State-owned housing maintenance	PR	A	7,100	7,100

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(jz) School district boundary appeal				
2	proceedings	PR	C	10,500	10,500
3	(kd) Alcohol and other drug abuse				
4	program	PR-S	A	868,400	911,900
5	(ke) Funds transferred from other state				
6	agencies; program operations	PR-S	C	1,290,800	1,292,700
7	(km) State agency library processing				
8	center	PR-S	A	63,500	63,500
9	(ks) Data processing	PR-S	C	1,715,900	1,716,000
10	(me) Federal aids; program operations	PR-F	C	18,365,400	18,365,400
11	(pz) Indirect cost reimbursements	PR-F	C	1,052,300	1,052,300
12	(q) Agricultural education consultant	SEG	A	56,400	65,700
(1) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			26,377,500	27,423,400
	PROGRAM REVENUE			31,717,100	31,779,600
	FEDERAL			(19,417,700)	(19,417,700)
	OTHER			(8,360,800)	(8,377,800)
	SERVICE			(3,938,600)	(3,984,100)
	SEGREGATED FUNDS			56,400	65,700
	OTHER			(56,400)	(65,700)
	TOTAL-ALL SOURCES			58,151,000	59,268,700
13	(2) AIDS FOR LOCAL EDUCATIONAL PROGRAMMING				
14	(ac) General equalization aids	GPR	S	3,767,893,500	3,932,871,500
15	(ad) Supplemental aid	GPR	A	125,000	125,000
16	(b) Aids for special education and				
17	school age parents programs	GPR	A	288,048,700	315,681,400
18	(bc) Aid for children-at-risk programs	GPR	A	3,500,000	3,500,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(bh) Aid to county children with				
2	disabilities education boards	GPR	A	3,000,000	4,000,000
3	(bi) Additional aid for county				
4	handicapped children's education				
5	boards	GPR	A	-0-	-0-
6	(br) Aid for special education				
7	transportation	GPR	A	-0-	-0-
8	(cc) Bilingual-bicultural education aids	GPR	A	8,291,400	8,291,400
9	(cf) Alternative education grants	GPR	A	-0-	5,000,000
10	(cg) Tuition payments; full-time open				
11	enrollment transfer payments	GPR	A	7,974,900	8,373,600
12	(cm) Grants for school breakfast				
13	programs	GPR	C	150,000	892,100
14	(cn) Aids for school lunches and				
15	nutritional improvement	GPR	A	4,363,700	4,371,100
16	(cp) Wisconsin morning milk program	GPR	A	671,400	710,600
17	(cr) Aid for pupil transportation	GPR	A	17,742,500	17,742,500
18	(cs) Aid for debt service	GPR	A	-0-	3,000,000
19	(cu) Achievement guarantee contracts	GPR	A	13,745,000	54,015,600
20	(cv) Achievement guarantee contracts;				
21	supplement	GPR	A	4,739,000	4,739,000
22	(cw) Aid for trans. to instit. of higher				
23	education; part-time open				
24	enrollment	GPR	A	20,000	20,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(cy) Aid for transportation; full-time				
2	open enrollment	GPR	A	275,000	500,000
3	(dm) Grants for alcohol & other drug				
4	abuse prevention & intervention				
5	programs	GPR	A	4,520,000	4,520,000
6	(do) Grants for preschool to grade 5				
7	programs	GPR	A	7,353,700	7,353,700
8	(eh) Head start supplement	GPR	A	3,712,500	3,712,500
9	(em) Driver education; local assistance	GPR	A	4,493,700	4,493,700
10	(fg) Aid for cooperative educational				
11	service agencies	GPR	A	300,000	300,000
12	(fk) Grant program for peer review and				
13	mentoring	GPR	A	500,000	500,000
14	(fL) Foreign language instruction				
15	grants	GPR	A	-0-	350,000
16	(fm) Charter schools	GPR	S	3,132,200	11,666,000
17	(fu) Milwaukee parental choice program	GPR	S	41,362,000	49,771,100
18	(k) Funds transferred from other state				
19	agencies; local aids	PR-S	C	8,113,700	8,113,700
20	(kd) Aid for alcohol and other drug				
21	abuse programs	PR-S	A	1,427,100	1,498,600
22	(kh) Head start supplement	PR-S	C	3,712,500	3,712,500
23	(km) Alternative school American Indian				
24	language and culture education aid	PR-S	A	198,000	203,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(kp) Aid to Milwaukee public schools;				
2	federal block grant aids	PR-S	A	1,410,000	1,410,000
3	(m) Federal aids; local aid	PR-F	C	326,110,700	326,110,700
4	(q) General equalization aids; property				
5	tax relief fund	SEG	S	-0-	-0-
6	(s) School library aids	SEG	C	28,200,000	21,700,000
	(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			4,185,914,200	4,446,500,800
	PROGRAM REVENUE			340,972,000	341,048,500
	FEDERAL			(326,110,700)	(326,110,700)
	SERVICE			(14,861,300)	(14,937,800)
	SEGREGATED FUNDS			28,200,000	21,700,000
	OTHER			(28,200,000)	(21,700,000)
	TOTAL-ALL SOURCES			4,555,086,200	4,809,249,300
7	(3) AIDS TO LIBRARIES, INDIVIDUALS AND ORGANIZATIONS				
8	(c) National teacher certification	GPR	S	50,000	112,500
9	(d) Elks and Easter Seals center for				
10	respite and recreation	GPR	A	50,000	50,000
11	(e) Aid to public library systems	GPR	A	13,749,800	14,749,800
12	(ea) Library service contracts	GPR	A	1,012,000	1,047,300
13	(ec) Wisconsin geography alliance	GPR	A	50,000	50,000
14	(eg) Milwaukee public museum	GPR	A	50,000	50,000
15	(fa) Very special arts	GPR	A	75,000	75,000
16	(fg) Special olympics	GPR	A	75,000	75,000
17	(fz) Minority group pupil scholarships	GPR	A	2,000,000	2,000,000
18	(mm) Federal funds; local assistance	PR-F	C	1,115,000	1,115,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(ms) Federal funds; individuals and				
2	organizations	PR-F	C	38,746,400	38,292,900
3	(q) Periodical and reference				
4	information databases	SEG	A	836,000	1,700,000
(3) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			17,111,800	18,209,600
	PROGRAM REVENUE			39,861,400	39,407,900
	FEDERAL			(39,861,400)	(39,407,900)
	SEGREGATED FUNDS			836,000	1,700,000
	OTHER			(836,000)	(1,700,000)
	TOTAL-ALL SOURCES			57,809,200	59,317,500
20.255 DEPARTMENT TOTALS					
	GENERAL PURPOSE REVENUES			4,229,403,500	4,492,133,800
	PROGRAM REVENUE			412,550,500	412,236,000
	FEDERAL			(385,389,800)	(384,936,300)
	OTHER			(8,360,800)	(8,377,800)
	SERVICE			(18,799,900)	(18,921,900)
	SEGREGATED FUNDS			29,092,400	23,465,700
	OTHER			(29,092,400)	(23,465,700)
	TOTAL-ALL SOURCES			4,671,046,400	4,927,835,500
5	20.275 Technology for educational achievement in Wisconsin board				
6	(1) EDUCATIONAL TECHNOLOGY				
7	(a) General program operations	GPR	A	676,100	676,100
8	(d) Pioneering partners grants	GPR	A	-0-	-0-
9	(er) Principal, interest & rebates;				
10	general purpose rev. – public				
11	library boards	GPR	S	101,600	633,100
12	(es) Principal, interest and rebates;				
13	general purpose revenue – school				
14	districts	GPR	S	2,070,600	4,709,400

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(et) Educational technology training &				
2	technical assistance grants	GPR	A	5,000,000	4,000,000
3	(f) Educational technology block				
4	grants	GPR	A	35,000,000	35,000,000
5	(g) Gifts and grants	PR	C	-0-	-0-
6	(gf) Payments from telecommunications				
7	carriers; school districts	PR-S	C	-0-	-0-
8	(gg) Payments from telecommunications				
9	carriers; libraries	PR-S	C	-0-	-0-
10	(gh) Payments from telecommunications				
11	carriers; private schools	PR-S	C	-0-	-0-
12	(gm) Wisconsin advanced				
13	telecommunications foundation				
14	services	PR	C	141,000	150,100
15	(h) Principal, interest and rebates;				
16	program revenue – school districts	PR	C	2,070,600	4,709,400
17	(hb) Principal, interest & rebates;				
18	program revenue – public library				
19	boards	PR	C	101,600	633,100
20	(L) Equipment purchases and leases	PR	C	-0-	-0-
21	(m) Federal aid	PR-F	C	-0-	-0-
22	(s) Telecommunications access; school				
23	districts	SEG	B	6,427,100	7,195,700

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(t) Telecommunications access; private				
2	and technical colleges and libraries	SEG	B	1,850,700	2,014,600
3	(tm) Telecommunications access; private				
4	schools	SEG	B	665,900	1,003,100
5	(tu) Telecommunications access; state				
6	schools	SEG	B	55,200	55,200
20.275 DEPARTMENT TOTALS					
	GENERAL PURPOSE REVENUES			42,848,300	45,018,600
	PROGRAM REVENUE			2,313,200	5,492,600
	FEDERAL			(-0-)	(-0-)
	OTHER			(2,313,200)	(5,492,600)
	SERVICE			(-0-)	(-0-)
	SEGREGATED FUNDS			8,998,900	10,268,600
	OTHER			(8,998,900)	(10,268,600)
	TOTAL-ALL SOURCES			54,160,400	60,779,800
7	20.285 University of Wisconsin system				
8	(1) UNIVERSITY EDUCATION, RESEARCH AND PUBLIC SERVICE				
9	(a) General program operations	GPR	A	748,769,600	787,517,800
10	(ab) Student aid	GPR	A	1,315,300	1,315,300
11	(am) Distinguished professorships	GPR	A	700,000	700,000
12	(as) Industrial and economic				
13	development research	GPR	A	1,502,800	1,502,400
14	(b) Area health education centers	GPR	A	1,504,300	1,504,300
15	(bm) Fee remissions	GPR	A	30,000	30,000
16	(c) Energy costs	GPR	A	42,267,000	42,267,000
17	(cg) Driver education teachers	GPR	C	60,900	60,900
18	(cm) Educational technology	GPR	A	6,376,300	6,376,200

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(d) Principal repayment and interest	GPR	S	88,471,100	80,293,000
2	(da) Lease rental payments	GPR	S	–0–	–0–
3	(db) Self-amortizing facilities principal				
4	and interest	GPR	S	–0–	–0–
5	(ee) Environmental educational grants	GPR	A	200,000	200,000
6	(em) Schools of business	GPR	A	1,425,500	1,425,300
7	(eo) Extension outreach	GPR	A	298,200	297,900
8	(ep) Extension local planning program	GPR	A	20,000	161,800
9	(er) Grants for study abroad	GPR	A	500,000	1,000,000
10	(fc) Department of family medicine and				
11	practice	GPR	A	6,995,500	6,995,500
12	(fd) State laboratory of hygiene; general				
13	program operations	GPR	A	7,264,600	6,924,600
14	(fh) State laboratory of hygiene;				
15	principal repayment and interest	GPR	S	–0–	–0–
16	(fm) Laboratories	GPR	A	4,187,500	4,185,100
17	(fs) Farm safety program grants	GPR	A	20,000	20,000
18	(ft) Wisconsin humanities council	GPR	A	125,000	125,000
19	(fu) Educational programming	GPR	A	–0–	–0–
20	(fx) Alcohol and other drug abuse				
21	prevention and intervention	GPR	A	50,700	50,700
22	(g) Physical plant service departments	PR	C	–0–	–0–
23	(ga) Surplus auxiliary funds	PR	C	–0–	–0–

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(gr) Center for urban land economics				
2	research	PR	A	175,000	175,000
3	(h) Auxiliary enterprises	PR	C	375,735,200	387,945,600
4	(ha) Stores	PR	C	8,700,400	8,700,400
5	(hm) Extension outreach	PR	C	184,900	184,900
6	(i) State laboratory of hygiene	PR	C	17,897,100	18,094,300
7	(ia) State laboratory of hygiene, drivers	PR	C	945,800	763,000
8	(ih) State laboratory of hygiene;				
9	principal repayment and interest	PR	S	–0–	–0–
10	(im) Academic student fees	PR	C	438,925,000	448,550,100
11	(ip) Extension student fees	PR	C	7,853,000	7,853,000
12	(iz) General operations receipts	PR	C	77,317,300	77,868,300
13	(j) Gifts and donations	PR	C	260,138,200	276,147,100
14	(ja) Gifts; student loans	PR	C	3,398,600	3,398,600
15	(jm) Distinguished professorships	PR	C	440,700	440,700
16	(jp) License plate scholarship programs	PR	C	–0–	–0–
17	(k) Funds transferred from other state				
18	agencies	PR-S	C	–0–	–0–
19	(ka) Sale of real property	PR	C	–0–	–0–
20	(kb) Great Lakes studies	PR-S	A	32,000	32,000
21	(kd) Principal repayment, interest and				
22	rebates	PR-S	S	25,858,600	30,629,000
23	(ke) Lease rental payments	PR-S	S	–0–	–0–

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(kf) Outdoors skills training	PR-S	A	33,000	44,000
2	(km) Aquaculture demonstration facility;				
3	principal repayment and interest	PR-S	A	-0-	-0-
4	(kn) Aquaculture demonstration facility;				
5	operational costs	PR-S	A	-0-	-0-
6	(kp) Student-related activities	PR-S	C	-0-	-0-
7	(kr) University of Wisconsin center for				
8	tobacco research and intervention	PR-S	C	1,000,000	1,000,000
9	(kv) Stray voltage research	PR-S	C	175,000	175,000
10	(Lm) Laboratories	PR	A	4,405,400	4,405,400
11	(Ls) Schools of business	PR	A	592,300	592,300
12	(m) Federal aid	PR-F	C	336,412,400	336,412,400
13	(ma) Federal aid; loans and grants	PR-F	C	188,996,600	188,996,600
14	(n) Federal indirect cost				
15	reimbursement	PR-F	C	74,846,800	74,846,800
16	(q) Telecommunications services	SEG	A	864,000	864,000
17	(qd) Ginseng research	SEG	B	125,000	125,000
18	(qm) Grants to forestry cooperatives	SEG	A	50,000	50,000
19	(r) Environmental education;				
20	environmental assessments	SEG	C	30,000	30,000
21	(rc) Environmental education; forestry	SEG	A	200,000	200,000
22	(tb) Extension recycling education	SEG	A	424,100	524,100

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(tm) Solid waste research and				
2	experiments	SEG	A	203,300	203,300
3	(u) Trust fund income	SEG	C	21,718,900	23,502,000
4	(w) Trust fund operations	SEG	C	-0-	-0-
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			912,084,300	942,952,800
	PROGRAM REVENUE			1,824,063,300	1,867,254,500
	FEDERAL			(600,255,800)	(600,255,800)
	OTHER			(1,196,708,900)	(1,235,118,700)
	SERVICE			(27,098,600)	(31,880,000)
	SEGREGATED FUNDS			23,615,300	25,498,400
	OTHER			(23,615,300)	(25,498,400)
	TOTAL-ALL SOURCES			2,759,762,900	2,835,705,700
5	(3) UNIVERSITY SYSTEM ADMINISTRATION				
6	(a) General program operations	GPR	A	9,267,400	9,266,400
7	(iz) General operations receipts	PR	C	242,400	242,400
8	(n) Federal indirect cost				
9	reimbursement	PR-F	C	1,723,900	1,723,900
	(3) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			9,267,400	9,266,400
	PROGRAM REVENUE			1,966,300	1,966,300
	FEDERAL			(1,723,900)	(1,723,900)
	OTHER			(242,400)	(242,400)
	TOTAL-ALL SOURCES			11,233,700	11,232,700
10	(4) MINORITY AND DISADVANTAGED PROGRAMS				
11	(a) Minority and disadvantaged				
12	programs	GPR	A	7,778,700	9,248,800
13	(b) Graduate student financial aid	GPR	A	4,309,400	4,568,000
14	(dd) Lawton minority undergraduate				
15	grants program	GPR	A	2,638,000	2,891,200

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
(4) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES		14,726,100	16,708,000
	TOTAL-ALL SOURCES		14,726,100	16,708,000
1	(5) UNIVERSITY OF WISCONSIN-MADISON INTERCOLLEGIATE ATHLETICS			
2	(a) General program operations	GPR A	633,900	633,900
3	(h) Auxiliary enterprises	PR A	31,533,200	32,355,700
4	(i) Nonincome sports	PR C	327,600	327,600
5	(j) Gifts and grants	PR C	5,914,800	5,914,800
(5) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES		633,900	633,900
	PROGRAM REVENUE		37,775,600	38,598,100
	OTHER		(37,775,600)	(38,598,100)
	TOTAL-ALL SOURCES		38,409,500	39,232,000
6	(6) UNIVERSITY OF WISCONSIN HOSPITALS AND CLINICS AUTHORITY			
7	(a) Services received from authority	GPR A	3,845,600	3,845,600
8	(g) Services provided to authority	PR C	27,392,300	27,392,300
(6) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES		3,845,600	3,845,600
	PROGRAM REVENUE		27,392,300	27,392,300
	OTHER		(27,392,300)	(27,392,300)
	TOTAL-ALL SOURCES		31,237,900	31,237,900
20.285 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUES		940,557,300	973,406,700
	PROGRAM REVENUE		1,891,197,500	1,935,211,200
	FEDERAL		(601,979,700)	(601,979,700)
	OTHER		(1,262,119,200)	(1,301,351,500)
	SERVICE		(27,098,600)	(31,880,000)
	SEGREGATED FUNDS		23,615,300	25,498,400
	OTHER		(23,615,300)	(25,498,400)
	TOTAL-ALL SOURCES		2,855,370,100	2,934,116,300
9	20.292 Technical college system, board of			
10	(1) TECHNICAL COLLEGE SYSTEM			

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(a) General program operations	GPR	A	3,067,400	3,067,500
2	(am) Fee remissions	GPR	A	15,000	15,000
3	(b) Displaced homemakers' program	GPR	A	851,700	851,700
4	(bm) Workplace literacy resource center	GPR	A	-0-	-0-
5	(c) Minority student participation and				
6	retention grants	GPR	A	617,000	617,000
7	(ce) Basic skills grants	GPR	A	-0-	-0-
8	(d) State aid for technical colleges;				
9	statewide guide	GPR	A	115,945,000	118,415,000
10	(dc) Incentive grants	GPR	C	7,888,100	7,888,100
11	(dd) Farm training program tuition				
12	grants	GPR	A	150,000	150,000
13	(de) Services for handicapped students;				
14	local assistance	GPR	A	400,000	400,000
15	(dm) Aid for special collegiate transfer				
16	programs	GPR	A	1,124,300	1,124,300
17	(e) Technical college instructor				
18	occupational competency program	GPR	A	71,300	71,300
19	(ec) Milwaukee enterprise center	GPR	A	25,000	25,000
20	(eg) Faculty development grants	GPR	A	832,000	832,000
21	(em) Apprenticeship curriculum				
22	development	GPR	A	75,000	75,000
23	(ep) Grants to students	GPR	A	-0-	6,600,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(er) Grants for additional course				
2	sections	GPR	A	–0–	2,200,000
3	(f) Alcohol and other drug abuse				
4	prevention and intervention	GPR	A	525,000	525,000
5	(fc) Driver education, local assistance	GPR	A	322,000	322,000
6	(fg) Chauffeur training grants	GPR	C	200,000	200,000
7	(fm) Supplemental aid	GPR	A	1,500,000	1,500,000
8	(fp) Emergency medical technician –				
9	basic training; state operations	GPR	A	193,500	193,500
10	(g) Text materials	PR	A	123,000	123,000
11	(gm) Fire schools; state operations	PR	A	279,200	279,200
12	(gr) Fire schools; local assistance	PR	A	500,000	500,000
13	(gt) Telecommunications retraining	PR	C	300,000	300,000
14	(h) Gifts and grants	PR	C	20,600	20,600
15	(i) Conferences	PR	C	85,900	85,900
16	(j) Personnel certification	PR	A	214,000	214,000
17	(k) Gifts and grants	PR	C	30,200	30,200
18	(ka) Interagency projects; local				
19	assistance	PR-S	A	3,414,700	3,414,700
20	(kb) Interagency projects; state				
21	operations	PR-S	A	742,700	742,700
22	(L) Services for district boards	PR	A	150,600	150,600
23	(m) Federal aid, state operations	PR-F	C	2,885,500	2,886,900

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(n) Federal aid, local assistance	PR-F	C	26,374,300	26,374,300
2	(o) Federal aid, aids to individuals and				
3	organizations	PR-F	C	400,000	400,000
4	(pz) Indirect cost reimbursements	PR-F	C	166,000	166,000
5	(q) Agricultural education consultant	SEG	A	41,600	47,600

20.292 DEPARTMENT TOTALS

GENERAL PURPOSE REVENUES	133,802,300	145,072,400
PROGRAM REVENUE	35,686,700	35,688,100
FEDERAL	(29,825,800)	(29,827,200)
OTHER	(1,703,500)	(1,703,500)
SERVICE	(4,157,400)	(4,157,400)
SEGREGATED FUNDS	41,600	47,600
OTHER	(41,600)	(47,600)
TOTAL-ALL SOURCES	169,530,600	180,808,100

Education**FUNCTIONAL AREA TOTALS**

GENERAL PURPOSE REVENUES	5,438,638,700	5,750,969,000
PROGRAM REVENUE	2,358,273,200	2,406,154,300
FEDERAL	(1,019,849,200)	(1,019,397,100)
OTHER	(1,285,426,000)	(1,328,355,800)
SERVICE	(52,998,000)	(58,401,400)
SEGREGATED FUNDS	62,371,300	59,903,400
FEDERAL	(-0-)	(-0-)
OTHER	(62,371,300)	(59,903,400)
SERVICE	(-0-)	(-0-)
LOCAL	(-0-)	(-0-)
TOTAL-ALL SOURCES	7,859,283,200	8,217,026,700

Environmental Resources

6	20.315 Boundary area commission, Minnesota-Wisconsin				
7	(1) BOUNDARY AREA COOPERATION				
8	(q) General program operations —				
9	conservation fund	SEG	A	183,000	188,000

20.315 DEPARTMENT TOTALS

SEGREGATED FUNDS	183,000	188,000
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	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
	OTHER			(183,000)	(188,000)
	TOTAL-ALL SOURCES			183,000	188,000
1	20.320 Environmental improvement program				
2	(1) CLEAN WATER FUND PROGRAM OPERATIONS				
3	(a) Environmental aids — clean water				
4	fund program	GPR	A	-0-	-0-
5	(c) Principal repayment and				
6	interest — clean water fund				
7	program	GPR	S	27,137,500	31,081,100
8	(r) Clean water fund program				
9	repayment of revenue obligations	SEG	S	-0-	-0-
10	(s) Clean water fund program financial				
11	assistance	SEG	S	-0-	-0-
12	(sm) Land recycling loan program				
13	financial assistance	SEG	S	-0-	-0-
14	(t) Principal repayment and				
15	interest — clean water fund				
16	program bonds	SEG	A	4,000,000	4,000,000
17	(u) Principal repay. & interest – clean				
18	water fd. prog. rev. obligation repay.	SEG	C	-0-	-0-
19	(x) Clean water fund program financial				
20	assistance; federal	SEG-F	C	-0-	-0-
21	(y) Clean water fund program federal				
22	financial hardship assistance	SEG-F	C	-0-	-0-
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			27,137,500	31,081,100

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
	SEGREGATED FUNDS			4,000,000	4,000,000
	FEDERAL			(-0-)	(-0-)
	OTHER			(4,000,000)	(4,000,000)
	TOTAL-ALL SOURCES			31,137,500	35,081,100
1	(2) SAFE DRINKING WATER LOAN PROGRAM OPERATIONS				
2	(c) Principal repayment and				
3	interest — safe drinking water loan				
4	program	GPR	S	974,600	1,348,200
5	(q) Safe drinking water loan program				
6	revenue obligation funding	SEG-S	C	-0-	-0-
7	(r) Safe drinking water loan program				
8	repayment of revenue obligations	SEG	S	-0-	-0-
9	(s) Safe drinking water loan programs				
10	financial assistance	SEG	S	-0-	-0-
11	(u) Principal repaymt & int; safe				
12	drinking water loan pgm rev oblig				
13	repayment	SEG	C	-0-	-0-
14	(x) Safe drinking water loan programs				
15	financial assistance; federal	SEG-F	C	-0-	-0-
	(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			974,600	1,348,200
	SEGREGATED FUNDS			-0-	-0-
	FEDERAL			(-0-)	(-0-)
	OTHER			(-0-)	(-0-)
	SERVICE			(-0-)	(-0-)
	TOTAL-ALL SOURCES			974,600	1,348,200
16	(3) PRIVATE SEWAGE SYSTEM PROGRAM				
17	(q) Private sewage system loans	SEG	C	1,500,000	-0-

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
(3) PROGRAM TOTALS				
SEGREGATED FUNDS			1,500,000	-0-
OTHER			(1,500,000)	(-0-)
TOTAL-ALL SOURCES			1,500,000	-0-
20.320 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			28,112,100	32,429,300
SEGREGATED FUNDS			5,500,000	4,000,000
FEDERAL			(-0-)	(-0-)
OTHER			(5,500,000)	(4,000,000)
SERVICE			(-0-)	(-0-)
TOTAL-ALL SOURCES			33,612,100	36,429,300
1	20.360 Lower Wisconsin state riverway board			
2	(1) CONTROL OF LAND DEVELOPMENT AND USE IN THE LOWER WISCONSIN STATE RIVERWAY			
3	(g) Gifts and grants	PR	C	-0- -0-
4	(q) General program operations —			
5	conservation fund	SEG	A	125,600 125,600
20.360 DEPARTMENT TOTALS				
	PROGRAM REVENUE			-0- -0-
	OTHER			(-0-) (-0-)
	SEGREGATED FUNDS			125,600 125,600
	OTHER			(125,600) (125,600)
	TOTAL-ALL SOURCES			125,600 125,600
6	20.370 Natural resources, department of			
7	(1) LAND			
8	(cq) Forestry — reforestation	SEG	C	100,000 100,000
9	(cr) Forestry — recording fees	SEG	C	50,000 50,000
10	(cs) Forestry — forest fire emergencies	SEG	C	-0- -0-
11	(ct) Timber sales contracts – repair and			
12	reimbursement costs	SEG	C	-0- -0-

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(ea) Parks — general program				
2	operations	GPR	A	4,974,400	4,974,400
3	(eq) Parks and forests – operation and				
4	maintenance	SEG	S	–0–	–0–
5	(er) Parks and forests – recycling				
6	activities	SEG	A	–0–	–0–
7	(fb) Endangered resources — general				
8	program operations	GPR	A	–0–	–0–
9	(fc) Endangered resources — Wisconsin				
10	stewardship program	GPR	A	–0–	–0–
11	(fd) Endangered resources — natural				
12	heritage inventory program	GPR	A	233,700	233,700
13	(fe) Endangered resources — general				
14	fund	GPR	S	500,000	500,000
15	(fs) Endangered resources — voluntary				
16	payments; sales, leases and fees	SEG	C	1,070,000	1,066,000
17	(ft) Endangered resources —				
18	application fees	SEG	C	–0–	–0–
19	(gr) Endangered resources program —				
20	gifts and grants	SEG	C	–0–	–0–
21	(hk) Elk management	PR-S	A	50,000	200,000
22	(hr) Pheasant restoration	SEG	C	469,400	469,400
23	(ht) Wild turkey restoration	SEG	C	212,200	212,200
24	(hu) Wetlands habitat improvement	SEG	C	338,400	338,400

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(it) Atlas revenues	SEG	C	-0-	-0-
2	(iu) Gravel pit reclamation	SEG	C	-0-	-0-
3	(jr) Rental property and equipment —				
4	maintenance and replacement	SEG	C	-0-	-0-
5	(kq) Taxes and assessments —				
6	conservation fund	SEG	A	300,000	300,000
7	(Lk) Wild crane management	PR-S	A	130,300	147,000
8	(Lq) Trapper education program	SEG	C	29,100	29,100
9	(Lr) Beaver control; fish and wildlife				
10	account	SEG	C	36,600	36,600
11	(Ls) Control of wild animals	SEG	C	170,400	170,400
12	(Lt) Wildlife management	SEG	A	435,400	435,400
13	(ma) General program operations —				
14	state funds	GPR	A	594,600	594,600
15	(mg) General program operations —				
16	endangered resources	PR	C	-0-	-0-
17	(mi) General program operations —				
18	private and public sources	PR	C	443,800	443,800
19	(mk) General program operations —				
20	service funds	PR-S	C	504,000	429,000
21	(mq) General program operations —				
22	state snowmobile trails and areas	SEG	A	84,400	84,400
23	(ms) General program operations —				
24	state all-terrain vehicle projects	SEG	A	60,000	60,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(mt) Land preservation and				
2	management – endowment fund	SEG	S	–0–	–0–
3	(mu) General program operations —				
4	state funds	SEG	A	–0–	–0–
5	Land program management	SEG	A	4,300,100	4,329,000
6	Wildlife management	SEG	A	7,907,700	7,954,400
7	Forestry	SEG	A	29,425,800	29,053,400
8	Southern forests	SEG	A	3,999,300	3,974,000
9	Parks and recreation	SEG	A	7,658,900	7,715,400
10	Facilities and lands	SEG	A	4,877,800	4,802,800
	NET APPROPRIATION			58,169,600	57,829,000
11	(my) General program operations —				
12	federal funds	SEG-F	C	–0–	–0–
13	Wildlife management	SEG-F	C	3,494,100	3,494,100
14	Forestry	SEG-F	C	372,400	372,400
15	Southern forests	SEG-F	C	123,700	123,700
16	Parks and recreation	SEG-F	C	581,100	581,100
17	Endangered resources	SEG-F	C	496,500	496,500
18	Facilities and lands	SEG-F	C	1,672,200	1,672,200
	NET APPROPRIATION			6,740,000	6,740,000
19	(mz) Forest fire emergencies — federal				
20	funds	SEG-F	C	–0–	–0–
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			6,302,700	6,302,700

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	1999-00	2000-01
	PROGRAM REVENUE			1,128,100	1,219,800
	OTHER			(443,800)	(443,800)
	SERVICE			(684,300)	(776,000)
	SEGREGATED FUNDS			68,265,500	67,920,900
	FEDERAL			(6,740,000)	(6,740,000)
	OTHER			(61,525,500)	(61,180,900)
	TOTAL-ALL SOURCES			75,696,300	75,443,400
1	(2) AIR AND WASTE				
2	(bg) Air management — stationary				
3	sources	PR	A	8,998,000	8,966,100
4	(bi) Air management — asbestos				
5	management	PR	C	327,400	289,400
6	(bq) Air management — vapor recovery				
7	administration	SEG	A	67,300	67,300
8	(br) Air management — mobile sources	SEG	A	1,287,000	1,287,000
9	(cf) Air management – motor veh.				
10	emission inspection & maint. prog.,				
11	state funds	GPR	A	64,300	64,300
12	(cg) Air management — recovery of				
13	ozone-depleting refrigerants	PR	A	125,800	125,800
14	(ch) Air management — emission				
15	analysis	PR	C	-0-	-0-
16	(ci) Air management — permit review				
17	and enforcement	PR	A	1,245,900	1,245,900
18	(cL) Air management – air waste				
19	management-incinerator operator				
20	certification	PR	C	-0-	-0-

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(da) Waste tire removal and recovery				
2	programs; program activities	GPR	S	-0-	-0-
3	(dg) Solid waste management — solid				
4	and hazardous waste disposal				
5	administration	PR	C	2,103,000	2,103,000
6	(dh) Solid waste				
7	management—remediated property	PR	C	969,600	1,019,100
8	(di) Solid waste management —				
9	operator certification	PR	C	-0-	-0-
10	(dq) Solid waste management — waste				
11	management fund	SEG	C	-0-	-0-
12	(dt) Solid waste management — closure				
13	and long-term care	SEG	C	-0-	-0-
14	(dv) Solid waste management —				
15	environmental repair; spills;				
16	abandoned containers	SEG	C	3,321,300	3,321,300
17	(dw) Solid waste management —				
18	environmental repair; petroleum				
19	spills; admin.	SEG	A	237,600	237,600
20	(dy) Solid waste mgt. — corrective				
21	action; proofs of financial				
22	responsibility	SEG	C	-0-	-0-
23	(dz) Solid waste management —				
24	assessments and legal action	SEG	C	-0-	-0-
25	(eg) Solid waste facility siting board fee	PR	C	-0-	-0-

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(eh) Solid waste management — source				
2	reduction review	PR	C	–0–	–0–
3	(eq) Solid waste management – dry				
4	cleaner environmental response	SEG	A	103,600	103,600
5	(gh) Mining — mining regulation and				
6	administration	PR	A	60,900	60,900
7	(gr) Solid waste management — mining				
8	programs	SEG	C	–0–	–0–
9	(hq) Recycling; administration	SEG	A	1,216,600	1,181,600
10	(hr) Study of landfill remediation	SEG	A	200,000	–0–
11	(ma) General program operations —				
12	state funds	GPR	A	2,939,100	2,938,800
13	(mi) General program operations —				
14	private and public sources	PR	C	–0–	–0–
15	(mk) General program operations —				
16	service funds	PR-S	C	100,000	100,000
17	(mm) General program operations —				
18	federal funds	PR-F	C	5,950,600	5,950,600
19	(mq) General program operations –				
20	environmental fund	SEG	A	4,323,000	4,302,400
21	(mu) Petroleum inspection fd. suppl. to				
22	env. fd.; env. repair and well comp.	SEG	A	1,149,400	1,049,400
23	(my) General program operations —				
24	environmental fund; federal funds	SEG-F	C	1,328,100	1,328,100

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	1999-00	2000-01
(2) P R O G R A M T O T A L S					
GENERAL PURPOSE REVENUES				3,003,400	3,003,100
PROGRAM REVENUE				19,881,200	19,860,800
FEDERAL				(5,950,600)	(5,950,600)
OTHER				(13,830,600)	(13,810,200)
SERVICE				(100,000)	(100,000)
SEGREGATED FUNDS				13,233,900	12,878,300
FEDERAL				(1,328,100)	(1,328,100)
OTHER				(11,905,800)	(11,550,200)
TOTAL-ALL SOURCES				36,118,500	35,742,200
1	(3) ENFORCEMENT AND SCIENCE				
2	(ad) Law enforcement – car killed deer;				
3	general fund	GPR	A	286,000	314,600
4	(ak) Law enforcement – snowmobile				
5	enforcement and safety training;				
6	service funds	PR-S	A	750,000	750,000
7	(aq) Law enforcement — snowmobile				
8	enforcement and safety training	SEG	A	1,500	63,800
9	(ar) Law enforcement — boat				
10	enforcement and safety training	SEG	A	1,977,700	1,951,400
11	(as) Law enforcement — all-terrain				
12	vehicle enforcement	SEG	A	183,600	183,600
13	(at) Education and safety programs	SEG	C	226,000	226,000
14	(aw) Law enforcement — car kill deer	SEG	A	286,000	314,600
15	(bg) Enforcement — stationary sources	PR	A	69,900	69,900
16	(dg) Environmental impact —				
17	consultant services; printing and				
18	postage costs	PR	C	-0-	-0-

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(dh) Environmental impact — power				
2	projects	PR	C	181,000	181,000
3	(di) Environmental consulting costs —				
4	federal power projects	PR	A	–0–	–0–
5	(fj) Environmental quality – lab.				
6	certification	PR	A	539,100	539,100
7	(is) Lake research; voluntary				
8	contributions	SEG	C	34,000	34,000
9	(ma) General program operations —				
10	state funds	GPR	A	4,808,100	4,802,100
11	(mi) General program operations —				
12	private and public sources	PR	C	386,900	386,900
13	(mk) General program operations —				
14	service funds	PR-S	C	486,200	486,200
15	(mm) General program operations —				
16	federal funds	PR-F	C	439,900	439,900
17	(mq) General program operations —				
18	environmental fund	SEG	A	1,091,000	1,102,500
19	(mr) Recycling; enforcement and				
20	research	SEG	A	101,300	101,300
21	(ms) General program operations –				
22	pollution prevention	SEG	A	55,600	55,600

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(mt) General program operations,				
2	nonpoint source — environmental				
3	fund	SEG	A	356,900	356,900
4	(mu) General program operations —				
5	state funds	SEG	A	14,676,600	14,718,800
6	(mv) Aquatic and terrestrial resources				
7	inventory	SEG	A	99,800	129,800
8	(my) General program operations —				
9	federal funds	SEG-F	C	5,261,200	5,261,200
	(3) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			5,094,100	5,116,700
	PROGRAM REVENUE			2,853,000	2,853,000
	FEDERAL			(439,900)	(439,900)
	OTHER			(1,176,900)	(1,176,900)
	SERVICE			(1,236,200)	(1,236,200)
	SEGREGATED FUNDS			24,351,200	24,499,500
	FEDERAL			(5,261,200)	(5,261,200)
	OTHER			(19,090,000)	(19,238,300)
	TOTAL-ALL SOURCES			32,298,300	32,469,200
10	(4) WATER				
11	(af) Water resources – remedial action	GPR	C	150,000	150,000
12	(ag) Water resources – pollution credits	PR	C	–0–	–0–
13	(ah) Water resources – Great Lakes				
14	protection fund	PR	C	229,000	229,000
15	(aq) Water resources management –				
16	lake and river management	SEG	A	1,969,500	2,006,500
17	(ar) Water resources – groundwater				
18	management	SEG	B	125,000	125,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(as) Water resources – trading water				
2	pollution credits	SEG	C	50,000	50,000
3	(at) Watershed – nonpoint source				
4	contracts	SEG	B	1,079,300	1,079,300
5	(au) Cooperative remedial action;				
6	contributions	SEG	C	–0–	–0–
7	(av) Cooperative remedial action;				
8	interest on contributions	SEG	S	–0–	–0–
9	(bg) Water regulation and zoning –				
10	computer access fees	PR	C	–0–	50,000
11	(bh) Water regulation and zoning – dam				
12	inspect. and safety administ.; gen.				
13	fund	PR	A	–0–	–0–
14	(bi) Water regulation and zoning – fees	PR	C	452,500	463,600
15	(bj) Storm water management – fees	PR	A	406,900	404,100
16	(bL) Wastewater management – fees	PR	C	221,500	221,500
17	(br) Water reg. & zoning — dam safety				
18	& wetland mapping; conservation				
19	fund	SEG	A	501,000	501,000
20	(kk) Fishery resources for ceded				
21	territories	PR-S	A	109,700	109,700
22	(ku) Great Lakes trout and salmon	SEG	C	1,099,900	1,099,900
23	(kv) Trout habitat improvement	SEG	C	1,088,100	1,088,100

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(ma) General program operations – state				
2	funds	GPR	A	–0–	–0–
3	Watershed management	GPR	A	9,109,300	9,130,400
4	Fisheries management and habitat				
5	protection	GPR	A	3,252,300	3,252,300
6	Drinking water and groundwater	GPR	A	3,518,200	3,518,200
7	Water integration team	GPR	A	398,400	398,400
8	Water program management	GPR	A	2,890,500	2,831,800
	NET APPROPRIATION			19,168,700	19,131,100
9	(mi) General program operations –				
10	private and public sources	PR	C	48,500	48,500
11	(mk) General program operations —				
12	service funds	PR-S	C	364,400	364,400
13	(mm) General program operations –				
14	federal funds	PR-F	C	–0–	–0–
15	Watershed management	PR-F	C	3,922,400	3,742,100
16	Fisheries management and habitat				
17	protection	PR-F	C	495,600	495,600
18	Drinking water and groundwater	PR-F	C	3,415,500	3,415,500
19	Water integration team	PR-F	C	–0–	–0–
20	Water program management	PR-F	C	–0–	–0–
	NET APPROPRIATION			7,833,500	7,653,200

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(mq) General program operations –				
2	environmental fund	SEG	A	–0–	–0–
3	Watershed management	SEG	A	713,800	699,500
4	Drinking water and groundwater	SEG	A	1,520,700	1,520,700
5	Water integration team	SEG	A	85,400	85,400
6	Water program management	SEG	A	66,100	66,100
	NET APPROPRIATION			2,386,000	2,371,700
7	(mr) General program operations –				
8	nonpoint source	SEG	A	575,500	598,400
9	(mt) General program				
10	operations–environmental				
11	improvement programs; state funds	SEG	A	491,100	491,100
12	(mu) General program operations – state				
13	funds	SEG	A	13,170,600	13,181,300
14	(mw) Petroleum inspection fund				
15	supplement to env. fund;				
16	groundwater management	SEG	A	766,900	766,900
17	(mx) General program operations – clean				
18	water fund program; federal funds	SEG–F	C	554,400	554,400
19	(my) General program operations –				
20	environmental fund – federal funds	SEG–F	C	–0–	–0–
21	(mz) General program operations –				
22	federal funds	SEG–F	C	3,308,200	3,308,200

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(nz) General program operations–safe				
2	drinking water loan programs;				
3	federal funds	SEG-F	C	63,700	63,700
(4) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			19,318,700	19,281,100
	PROGRAM REVENUE			9,666,000	9,544,000
	FEDERAL			(7,833,500)	(7,653,200)
	OTHER			(1,358,400)	(1,416,700)
	SERVICE			(474,100)	(474,100)
	SEGREGATED FUNDS			27,229,200	27,285,500
	FEDERAL			(3,926,300)	(3,926,300)
	OTHER			(23,302,900)	(23,359,200)
	TOTAL-ALL SOURCES			56,213,900	56,110,600
4	(5) CONSERVATION AIDS				
5	(ac) Resource aids – Milwaukee public				
6	museum	GPR	A	–0–	–0–
7	(aq) Resource aids – Canadian agencies				
8	migratory waterfowl aids	SEG	C	169,200	169,200
9	(ar) Resource aids – county				
10	conservation aids	SEG	C	150,000	150,000
11	(as) Recreation aids – fish, wildlife, and				
12	forestry recreation aids	SEG	C	234,200	234,500
13	(at) Ice age trail area grants	SEG	A	75,000	75,000
14	(av) Resource aids – private forest				
15	grants	SEG	B	1,000,000	1,000,000
16	(aw) Resource aids – nonprofit				
17	conservation organizations	SEG	C	250,000	335,000
18	(ay) Resource aids – urban land				
19	conservation	SEG	A	75,000	75,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(bq) Resource aids – county forest loans;				
2	severance share payments	SEG	C	–0–	–0–
3	(br) Resource aids – forest croplands				
4	and managed forest land aids	SEG	A	1,250,000	1,250,000
5	(bs) Resource aids – county forest loans	SEG	A	622,400	622,400
6	(bt) Resource aids – county forest				
7	project loans	SEG	C	400,000	400,000
8	(bu) Resource aids – county forest				
9	project loans; severance share				
10	payments	SEG	C	–0–	–0–
11	(bv) Res. aids – county forests, forest				
12	croplands and managed forest land				
13	aids	SEG	S	1,248,400	1,248,400
14	(bw) Resource aids – urban forestry and				
15	county forest administrator grants	SEG	A	1,174,900	1,204,900
16	(bx) Resource aids – national forest				
17	income aids	PR-F	C	782,200	782,200
18	(by) Resource aids — fire suppression				
19	grants	SEG	A	198,000	198,000
20	(cb) Recreation aids – snowmobile trail				
21	and area aids; general fund	GPR	A	125,000	125,000
22	(cq) Recreation aids – recreational				
23	boating and other projects	SEG	C	4,547,000	4,547,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(cr) Recreation aids – county				
2	snowmobile trail and area aids	SEG	C	2,313,900	2,501,400
3	(cs) Recreation aids – snowmobile trail				
4	areas	SEG	C	3,676,500	3,846,800
5	(ct) Recreation aids – all-terrain				
6	vehicle project aids; gas tax				
7	payment	SEG	C	635,000	720,500
8	(cu) Recreation aids — all-terrain				
9	vehicle project aids	SEG	C	450,300	450,300
10	(cv) Recreation aids — motorcycle				
11	recreation aids; trails	SEG	A	100,000	100,000
12	(cy) Recreation and resource aids,				
13	federal funds	SEG-F	C	510,900	510,900
14	(da) Aids in lieu of taxes	GPR	S	2,100,000	2,100,000
15	(dq) Aids in lieu of taxes	SEG	S	871,600	871,600
16	(dx) Resource aids — payment in lieu of				
17	taxes; federal	PR-F	C	440,000	440,000
18	(ea) Enforcement aids — spearfishing				
19	enforcement	GPR	C	-0-	-0-
20	(eq) Enforcement aids — boating				
21	enforcement	SEG	A	1,100,000	1,100,000
22	(er) Enforcement aids — all-terrain				
23	vehicle enforcement	SEG	A	50,000	50,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(es) Enforcement aids — snowmobiling				
2	enforcement	SEG	A	200,000	200,000
3	(et) Enforcement aids — boating	SEG	A	–0–	–0–
4	(ex) Enforcement aids — federal funds	SEG-F	C	–0–	–0–
5	(fq) Wildlife damage claims and				
6	abatement	SEG	C	2,187,700	2,187,700
7	(fr) Wildlife abatement and control				
8	grants	SEG	B	25,000	25,000
	(5) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			2,225,000	2,225,000
	PROGRAM REVENUE			1,222,200	1,222,200
	FEDERAL			(1,222,200)	(1,222,200)
	SEGREGATED FUNDS			23,515,000	24,073,600
	FEDERAL			(510,900)	(510,900)
	OTHER			(23,004,100)	(23,562,700)
	TOTAL-ALL SOURCES			26,962,200	27,520,800
9	(6) ENVIRONMENTAL AIDS				
10	(aa) Environmental aids – non-point				
11	source	GPR	B	4,383,600	883,600
12	(ag) Environmental aids – nonpoint				
13	repayments	PR	C	–0–	–0–
14	(aq) Environmental aids — non-point				
15	source program	SEG	B	2,541,300	–0–
16	(ar) Environmental aids – lake				
17	protection	SEG	C	2,875,400	2,675,400
18	(au) Environmental aids – river				
19	protection; environmental fund	SEG	A	150,000	150,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(av) Environmental aids – river				
2	protection; conservation fund	SEG	A	150,000	150,000
3	(aw) Environmental aids – river				
4	protection; nonprofit organization				
5	contracts	SEG	C	75,000	75,000
6	(ba) Environmental aids — dump				
7	closure cost share	GPR	C	1,247,700	1,247,700
8	(bj) Environmental aids — waste				
9	reduction and recycling grants and				
10	gifts	PR	C	–0–	–0–
11	(br) Environmental aids – waste				
12	reduction and recycling				
13	demonstration grants	SEG	C	–0–	500,000
14	(bs) Environmental aids – household				
15	hazardous waste	SEG	A	150,000	150,000
16	(bu) Financial assistance for responsible				
17	units	SEG	A	37,800,000	37,800,000
18	(ca) Environmental aids – scenic urban				
19	waterways	GPR	C	–0–	–0–
20	(ck) Environmental aids – drinking				
21	water study	PR-S	A	230,000	300,000
22	(cm) Environmental aids – federal funds	PR-F	C	75,000	75,000
23	(cr) Environmental aids – compensation				
24	for well contamination	SEG	C	400,000	400,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(da) Environmental planning aids –				
2	local water quality planning	GPR	A	283,400	283,400
3	(dk) Environmental aids – Oneida				
4	nation; Indian gaming	PR-S	A	120,000	120,000
5	(dm) Environmental planning aids –				
6	federal funds	PR-F	C	260,600	260,600
7	(dq) Enviornmental aids – urban				
8	nonpoint source	SEG	A	2,000,000	2,000,000
9	(dr) Environmental aids – municipal				
10	flood control and riparian				
11	restoration	SEG	A	1,000,000	1,000,000
12	(eq) Environmental aids – dry cleaner				
13	environmental response	SEG	B	2,450,000	1,050,000
14	(er) Environmental aids – sustainable				
15	urban development zones	SEG	B	2,380,000	–0–
16	(es) Environmental aids – urban				
17	development, conservation fund	SEG	B	70,000	–0–
18	(et) Environmental aids – brownfield				
19	site assessment	SEG	B	1,450,000	–0–
(6) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			5,914,700	2,414,700
	PROGRAM REVENUE			685,600	755,600
	FEDERAL			(335,600)	(335,600)
	OTHER			(–0–)	(–0–)
	SERVICE			(350,000)	(420,000)
	SEGREGATED FUNDS			53,491,700	45,950,400
	OTHER			(53,491,700)	(45,950,400)
	TOTAL-ALL SOURCES			60,092,000	49,120,700

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(7) DEBT SERVICE AND DEVELOPMENT				
2	(aa) Resource acquisition and				
3	development – principal repayment				
4	and interest	GPR	S	18,297,900	20,489,000
5	(ac) Principal repayment and interest –				
6	recreational boating bonds	GPR	S	–0–	–0–
7	(ag) Land acquisition; principal				
8	repayment and interest	PR	C	–0–	–0–
9	(aq) Resource acquisition and				
10	development – principal repayment				
11	and interest	SEG	S	238,700	247,900
12	(ar) Dam repair and removal – principal				
13	repayment and interest	SEG	S	245,600	457,900
14	(at) Recreation development – principal				
15	repayment and interest	SEG	S	–0–	–0–
16	(au) State forest acquisition and				
17	development — principal				
18	repayment and interest	SEG	A	3,000,000	3,000,000
19	(ba) Debt service – remedial action	GPR	S	1,623,600	2,452,500
20	(ca) Principal repayment and interest –				
21	nonpoint source grants	GPR	S	2,340,200	2,643,200
22	(cb) Principal repayment and interest –				
23	pollution abatement bonds	GPR	S	71,590,000	69,540,700

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(cc) Principal repay. and int. – combined				
2	sewer overflow; pollution abat.				
3	bonds	GPR	S	17,271,500	16,998,300
4	(cd) Principal repayment and interest –				
5	municipal clean drinking water				
6	grants	GPR	S	848,100	846,900
7	(ce) Principal repayment and interest –				
8	nonpoint source compliance	GPR	S	54,200	168,900
9	(cf) Principal repayment and interest –				
10	urban nonpoint source cost-sharing	GPR	S	–0–	–0–
11	(da) Prin repaymt and int – municipal				
12	flood control and riparian rest				
13	cost-sharg	GPR	S	–0–	–0–
14	(ea) Administrative facilities – principal				
15	repayment and interest	GPR	S	520,400	568,700
16	(eq) Administrative facilities – principal				
17	repayment and interest	SEG	S	1,280,100	1,500,200
18	(er) Administrative facilities – principal				
19	repayment & interest; env. fund	SEG	S	11,100	11,500
20	(fa) Resource maintenance and				
21	development – state funds	GPR	C	1,278,200	1,278,200
22	(fk) Resource acquisition and				
23	development – service funds;				
24	transportation moneys	PR-S	C	1,000,000	1,000,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(fr) Resource acq. and dev. – boating				
2	access to southeastern lakes	SEG	C	100,000	100,000
3	(fs) Resource acquisition and				
4	development – state funds	SEG	C	918,300	2,185,300
5	(ft) Resource acquisition and				
6	development – boating access	SEG	C	200,000	200,000
7	(fu) Resource acquisition and				
8	development — nonmotorized				
9	boating improvements	SEG	C	–0–	–0–
10	(fv) Resource acquisition and				
11	development – fish and wildlife				
12	projects	SEG	C	283,300	283,300
13	(fw) Resource acq. and dev. – Mississippi				
14	and St. Croix rivers management	SEG	C	62,500	62,500
15	(fy) Resource acquisition and				
16	development — federal funds	SEG-F	C	1,960,200	1,960,200
17	(gg) Ice Age trail – gifts and grants	PR	C	–0–	–0–
18	(gq) State trails – gifts and grants	SEG	C	–0–	–0–
19	(ha) Facilities acquisition, development				
20	and maintenance	GPR	C	183,100	183,100
21	(hq) Facilities acquisition, development				
22	and maintenance – conservation				
23	fund	SEG	C	376,800	376,800
24	(jr) Rental property and equipment –				
25	maintenance and replacement	SEG	C	–0–	–0–

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(mc) Resource maintenance and				
2	development – state park, forest &				
3	riverway roads	GPR	C	1,900,000	1,900,000
4	(mi) General program operations –				
5	private and public sources	PR	C	–0–	–0–
(7) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			115,907,200	117,069,500
	PROGRAM REVENUE			1,000,000	1,000,000
	OTHER			(–0–)	(–0–)
	SERVICE			(1,000,000)	(1,000,000)
	SEGREGATED FUNDS			8,676,600	10,385,600
	FEDERAL			(1,960,200)	(1,960,200)
	OTHER			(6,716,400)	(8,425,400)
	TOTAL–ALL SOURCES			125,583,800	128,455,100
6	(8) ADMINISTRATION AND TECHNOLOGY				
7	(ir) Promotional activities and				
8	publications	SEG	C	83,000	83,000
9	(iw) Statewide recycling administration	SEG	A	392,000	392,000
10	(ma) General program operations —				
11	state funds	GPR	A	7,658,200	7,733,500
12	(mc) General fund transfer	GPR	S	–0–	–0–
13	(mg) General program operations —				
14	stationary sources	PR	A	922,200	922,200
15	(mi) General program operations —				
16	private and public sources	PR	C	–0–	–0–
17	(mk) General program operations —				
18	service funds	PR–S	C	5,622,400	5,622,400

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01	
1	(mq) General program operations —					
2	mobile sources	SEG	A	427,400	427,400	
3	(mr) General program operations –					
4	environmental improvement fund	SEG	A	250,700	250,700	
5	(mt) Equipment pool operations	SEG-S	C	-0-	-0-	
6	(mu) General program operations —					
7	state funds	SEG	A	15,933,600	15,864,800	
8	(mv) General program operations —					
9	environmental fund	SEG	A	1,963,400	2,259,100	
10	(mz) Indirect cost reimbursements	SEG-F	C	4,500,400	4,500,400	
11	(ni) Geographic information systems,					
12	general program operations – other					
13	funds	PR	C	-0-	-0-	
14	(nk) Geographic information systems,					
15	general program operations —					
16	service fds.	PR-S	C	1,109,000	1,109,000	
17	(zq) Gifts and donations	SEG	C	-0-	-0-	
	(8) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			7,658,200	7,733,500	
	PROGRAM REVENUE			7,653,600	7,653,600	
	OTHER			(922,200)	(922,200)	
	SERVICE			(6,731,400)	(6,731,400)	
	SEGREGATED FUNDS			23,550,500	23,777,400	
	FEDERAL			(4,500,400)	(4,500,400)	
	OTHER			(19,050,100)	(19,277,000)	
	SERVICE			(-0-)	(-0-)	
	TOTAL-ALL SOURCES			38,862,300	39,164,500	
18	(9) CUSTOMER ASSISTANCE AND EXTERNAL RELATIONS					

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(eg) Gifts and grants; environmental				
2	management systems	PR	C	–0–	–0–
3	(gb) Education programs – program fees	PR	B	59,300	59,300
4	(hk) Approval fees to Lac du Flambeau				
5	band–service funds	PR–S	A	100,000	100,000
6	(hs) Approval fees from Lac du				
7	Flambeau band	SEG	C	–0–	–0–
8	(ht) Approval fees to Lac du Flambeau				
9	band	SEG	S	–0–	–0–
10	(hu) Handling, issuing and approval list				
11	fees	SEG	C	464,000	534,000
12	(iq) Natural resources magazine	SEG	C	873,000	923,000
13	(is) Statewide recycling administration	SEG	A	426,700	426,700
14	(jL) Fox river management; fees	PR	C	–0–	–0–
15	(ju) Fox river management	SEG	B	121,700	121,700
16	(ma) General program operations – state				
17	funds	GPR	A	2,394,200	2,367,000
18	(mh) General programs operations –				
19	stationary sources	PR	A	496,600	496,600
20	(mi) General program operations —				
21	private and public sources	PR	C	40,000	40,000
22	(mj) General program operations —				
23	solid and hazardous waste	PR	A	136,200	136,200

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(mk) General program operations —				
2	service funds	PR-S	C	100,200	100,200
3	(mm) General program operations –				
4	federal funds	PR-F	C	251,100	236,900
5	(mq) General program operations –				
6	mobile sources	SEG	A	158,900	158,900
7	(ms) General program operations —				
8	cooperative environmental				
9	assistance	SEG	A	120,300	120,300
10	(mt) Aids administration —				
11	environmental improvement				
12	programs; state funds	SEG	A	1,013,200	1,013,200
13	(mu) General program operations – state				
14	funds	SEG	A	10,882,600	10,808,300
15	(mv) General program operations —				
16	environmental fund	SEG	A	582,600	582,600
17	(mw) Aids administration – snowmobile				
18	recreation	SEG	A	145,700	140,700
19	(mx) Aids administration – clean water				
20	fund program; federal funds	SEG-F	C	981,100	981,100
21	(my) General program operations –				
22	federal funds	SEG-F	C	100,900	100,900
23	(mz) Indirect cost reimbursements	SEG-F	C	622,300	622,300

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(nq) Aids administration – dry cleaner				
2	environmental response	SEG	A	47,200	47,200
3	(ny) Aids administration – safe drinking				
4	water loan programs; federal funds	SEG-F	C	99,600	99,600
(9) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			2,394,200	2,367,000
	PROGRAM REVENUE			1,183,400	1,169,200
	FEDERAL			(251,100)	(236,900)
	OTHER			(732,100)	(732,100)
	SERVICE			(200,200)	(200,200)
	SEGREGATED FUNDS			16,639,800	16,680,500
	FEDERAL			(1,803,900)	(1,803,900)
	OTHER			(14,835,900)	(14,876,600)
	TOTAL-ALL SOURCES			20,217,400	20,216,700
20.370 DEPARTMENT TOTALS					
	GENERAL PURPOSE REVENUES			167,818,200	165,513,300
	PROGRAM REVENUE			45,273,100	45,278,200
	FEDERAL			(16,032,900)	(15,838,400)
	OTHER			(18,464,000)	(18,501,900)
	SERVICE			(10,776,200)	(10,937,900)
	SEGREGATED FUNDS			258,953,400	253,451,700
	FEDERAL			(26,031,000)	(26,031,000)
	OTHER			(232,922,400)	(227,420,700)
	SERVICE			(-0-)	(-0-)
	TOTAL-ALL SOURCES			472,044,700	464,243,200
5	20.380 Tourism, department of				
6	(1) TOURISM DEVELOPMENT PROMOTION				
7	(a) General program operations	GPR	A	3,926,900	3,926,900
8	(b) Tourism marketing; general				
9	purpose revenue	GPR	A	7,691,000	7,691,000
10	(bm) Heritage tourism program	GPR	B	135,400	135,400
11	(c) Internet referral system grants	GPR	B	50,000	-0-
12	(g) Gifts, grants and proceeds	PR	C	6,200	6,200

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(h) Tourism promotion; sale of surplus				
2	property	PR	C	-0-	-0-
3	(j) Tourism promotion – private and				
4	public sources	PR	C	100,000	100,000
5	(k) Sale of materials or services	PR-S	C	-0-	-0-
6	(ka) Sales of materials or services–local				
7	assistance	PR-S	C	-0-	-0-
8	(kb) Sales of materials or				
9	services–individuals and				
10	organizations	PR-S	C	-0-	-0-
11	(kc) Marketing clearinghouse charges	PR-S	A	-0-	-0-
12	(kg) Tourism marketing; gaming				
13	revenue	PR-S	C	3,976,500	3,969,500
14	(km) Tourist information assistant	PR	A	23,500	30,500
15	(m) Federal aid–state operations	PR-F	C	-0-	-0-
16	(n) Federal aid–local assistance	PR-F	C	-0-	-0-
17	(o) Federal aid–individuals and				
18	organizations	PR-F	C	-0-	-0-
19	(q) Administrative				
20	services–conservation fund	SEG	A	46,400	46,400

(1) PROGRAM TOTALS

GENERAL PURPOSE REVENUES	11,803,300	11,753,300
PROGRAM REVENUE	4,106,200	4,106,200
FEDERAL	(-0-)	(-0-)
OTHER	(129,700)	(136,700)
SERVICE	(3,976,500)	(3,969,500)
SEGREGATED FUNDS	46,400	46,400

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
	OTHER			(46,400)	(46,400)
	TOTAL-ALL SOURCES			15,955,900	15,905,900
1	(2) KICKAPOO VALLEY RESERVE				
2	(dq) Kickapoo valley reserve; aids in lieu				
3	of taxes	GPR	S	-0-	-0-
4	(ip) Kickapoo reserve management				
5	board; program services	PR	C	-0-	-0-
6	(ir) Kickapoo reserve management				
7	board; gifts and grants	PR	C	-0-	-0-
8	(ms) Kickapoo reserve management				
9	board; federal aid	PR-F	C	-0-	-0-
10	(q) Kickapoo reserve management				
11	board; general program operations	SEG	A	194,100	194,100
	(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			-0-	-0-
	PROGRAM REVENUE			-0-	-0-
	FEDERAL			(-0-)	(-0-)
	OTHER			(-0-)	(-0-)
	SEGREGATED FUNDS			194,100	194,100
	OTHER			(194,100)	(194,100)
	TOTAL-ALL SOURCES			194,100	194,100
	20.380 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUES			11,803,300	11,753,300
	PROGRAM REVENUE			4,106,200	4,106,200
	FEDERAL			(-0-)	(-0-)
	OTHER			(129,700)	(136,700)
	SERVICE			(3,976,500)	(3,969,500)
	SEGREGATED FUNDS			240,500	240,500
	OTHER			(240,500)	(240,500)
	TOTAL-ALL SOURCES			16,150,000	16,100,000
12	20.395 Transportation, department of				
13	(1) AIDS				

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(ar) Corrections of transportation aid				
2	payments	SEG	S	–0–	–0–
3	(as) Transportation aids to counties,				
4	state funds	SEG	A	81,401,900	84,059,500
5	(at) Transportation aids to				
6	municipalities, state funds	SEG	A	256,100,300	264,461,500
7	(br) Milwaukee urban area rail transit				
8	system planning study, state funds	SEG	A	–0–	–0–
9	(bs) Demand management and				
10	ride-sharing grants, state funds	SEG	A	336,000	336,000
11	(bt) Urban rail transit system grants	SEG	C	–0–	–0–
12	(bv) Transit and demand management				
13	aids, local funds	SEG-L	C	110,000	110,000
14	(bx) Transit and demand management				
15	aids, federal funds	SEG-F	C	20,000,000	20,000,000
16	(cq) Elderly and disabled capital aids,				
17	state funds	SEG	C	853,600	921,900
18	(cr) Elderly and disabled county aids,				
19	state funds	SEG	A	6,890,400	7,441,600
20	(cv) Elderly and disabled aids, local				
21	funds	SEG-L	C	588,500	605,500
22	(cx) Elderly and disabled aids, federal				
23	funds	SEG-F	C	1,500,000	1,500,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(ex) Highway safety, local assistance,				
2	federal funds	SEG-F	C	1,700,000	1,700,000
3	(fq) Connecting highways aids, state				
4	funds	SEG	A	12,851,900	12,851,900
5	(fs) Flood damage aids, state funds	SEG	S	600,000	600,000
6	(ft) Lift bridge aids, state funds	SEG	B	1,763,400	1,425,000
7	(fu) County forest road aids, state funds	SEG	A	303,300	303,300
8	(gq) Expressway policing aids, state				
9	funds	SEG	A	1,005,800	1,040,800
10	(hq) Tier A transit operating aids, state				
11	funds	SEG	A	47,438,100	-0-
12	(hr) Tier B transit operating aids, state				
13	funds	SEG	A	18,767,900	19,804,200
14	(hs) Tier C transit operating aids, state				
15	funds	SEG	A	5,069,300	5,349,100
16	(ht) Tier A-1 transit operating aids,				
17	state funds	SEG	A	13,388,900	53,555,600
18	(hu) Tier A-2 transit operating aids,				
19	state funds	SEG	A	3,574,400	14,297,600
	(1) PROGRAM TOTALS				
	SEGREGATED FUNDS			474,243,700	490,363,500
	FEDERAL			(23,200,000)	(23,200,000)
	OTHER			(450,345,200)	(466,448,000)
	LOCAL			(698,500)	(715,500)
	TOTAL-ALL SOURCES			474,243,700	490,363,500
20	(2) LOCAL TRANSPORTATION ASSISTANCE				

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(aq) Accelerated local bridge				
2	improvement assistance, state				
3	funds	SEG	C	6,500,000	-0-
4	(av) Accelerated local bridge				
5	improvement assistance, local				
6	funds	SEG-L	C	2,500,000	-0-
7	(ax) Accelerated local bridge				
8	improvement assistance, federal				
9	funds	SEG-F	C	51,000,000	-0-
10	(bq) Rail service assistance, state funds	SEG	C	666,800	666,800
11	(bu) Freight rail infrastructure				
12	improvements, state funds	SEG	C	3,579,800	3,079,800
13	(bv) Rail service assistance, local funds	SEG-L	C	500,000	500,000
14	(bw) Freight rail assistance loan				
15	repayments, local funds	SEG-L	C	2,000,000	2,500,000
16	(bx) Rail service assistance, federal				
17	funds	SEG-F	C	50,000	50,000
18	(cq) Harbor assistance, state funds	SEG	C	586,800	586,800
19	(cr) Rail passenger service, state funds	SEG	C	742,500	408,400
20	(ct) Passenger railroad station				
21	improvement grants, state funds	SEG	B	60,000	-0-
22	(cu) Passenger railroad station				
23	improvement grants, local funds	SEG-L	C	120,000	-0-
24	(cv) Rail passenger service, local funds	SEG-L	C	-0-	-0-

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(cx) Rail passenger service; federal				
2	funds	SEG-F	C	3,470,000	3,675,400
3	(dq) Aeronautics assistance, state funds	SEG	C	11,832,200	11,832,200
4	(ds) Aviation career education, state				
5	funds	SEG	A	95,300	138,300
6	(dv) Aeronautics assistance, local funds	SEG-L	C	6,985,200	6,985,200
7	(dx) Aeronautics assistance, federal				
8	funds	SEG-F	C	20,000,000	20,000,000
9	(eq) Highway and local bridge				
10	improvement assistance, state				
11	funds	SEG	C	8,472,300	8,472,300
12	(ev) Local bridge improvement				
13	assistance, local funds	SEG-L	C	8,780,400	8,780,400
14	(ex) Local bridge improvement				
15	assistance, federal funds	SEG-F	C	26,288,200	26,288,200
16	(fr) Local roads improvement program,				
17	state funds	SEG	C	23,831,200	21,331,200
18	(fv) Local transportation facility				
19	improvement assistance, local				
20	funds	SEG-L	C	38,603,200	34,603,200
21	(fx) Local transportation facility				
22	improvement assistance, federal				
23	funds	SEG-F	C	77,379,700	71,379,700

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(gj) Railroad crossing protection				
2	installation and maintenance, state				
3	funds	SEG	C	-0-	-0-
4	(gq) Railroad crossing improvement and				
5	protection maintenance, state funds	SEG	A	2,250,000	2,250,000
6	(gr) Railroad crossing improvement and				
7	protection installation, state funds	SEG	C	700,000	700,000
8	(gs) Railroad crossing repair assistance,				
9	state funds	SEG	C	250,000	250,000
10	(gv) Railroad crossing improvement,				
11	local funds	SEG-L	C	-0-	-0-
12	(gx) Railroad crossing improvement,				
13	federal funds	SEG-F	C	3,549,300	3,549,300
14	(hq) Multimodal transportation studies,				
15	state funds	SEG	C	750,000	750,000
16	(hx) Multimodal transportation studies,				
17	federal funds	SEG-F	C	-0-	-0-
18	(iq) Transportation facilities economic				
19	assistance and development, state				
20	funds	SEG	C	3,500,000	3,500,000
21	(iv) Transportation facilities economic				
22	assistance and development, local				
23	funds	SEG-L	C	3,500,000	3,500,000
24	(iw) Transportation facility				
25	improvement loans, local funds	SEG-L	C	-0-	-0-

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(ix) Transportation facilities economic				
2	assistance & development, federal				
3	funds	SEG-F	C	-0-	-0-
4	(jq) Surface transportation grants, state				
5	funds	SEG	C	-0-	-0-
6	(jv) Surface transportation grants, local				
7	funds	SEG-L	C	680,000	680,000
8	(jx) Surface transportation grants,				
9	federal funds	SEG-F	C	1,088,000	1,088,000
10	(kv) Congestion mitigation and air				
11	quality improvement, local funds	SEG-L	C	3,124,700	3,124,700
12	(kx) Congestion mitigation and air				
13	quality improvement, federal funds	SEG-F	C	9,373,900	9,373,900
14	(nv) Transportation enhancement				
15	activities, local funds	SEG-L	C	1,562,000	1,562,000
16	(nx) Transportation enhancement				
17	activities, federal funds	SEG-F	C	1,249,600	1,249,600
18	(ny) Milwaukee lakeshore walkway	SEG-F	B	1,000,000	1,000,000
19	(ox) Bicycle and pedestrian facilities				
20	grants, federal funds	SEG-F	C	9,755,000	9,755,000
21	(ph) Transportation infrastructure				
22	loans, gifts and grants	SEG	C	-0-	-0-
23	(pq) Transportation infrastructure				
24	loans, state funds	SEG	C	-0-	-0-

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(pu) Transportation infrastructure				
2	loans, service funds	SEG-S	C	-0-	-0-
3	(pv) Transportation infrastructure				
4	loans, local funds	SEG-L	C	-0-	-0-
5	(px) Transportation infrastructure				
6	loans, federal funds	SEG-F	C	-0-	-0-
(2) PROGRAM TOTALS					
	SEGREGATED FUNDS			336,376,100	263,610,400
	FEDERAL			(204,203,700)	(147,409,100)
	OTHER			(63,816,900)	(53,965,800)
	SERVICE			(-0-)	(-0-)
	LOCAL			(68,355,500)	(62,235,500)
	TOTAL-ALL SOURCES			336,376,100	263,610,400
7	(3) STATE HIGHWAY FACILITIES				
8	(bq) Major highway development, state				
9	funds	SEG	C	42,546,400	42,158,200
10	(br) Major highway development,				
11	service funds	SEG-S	C	119,629,900	119,907,200
12	(bv) Major highway development, local				
13	funds	SEG-L	C	-0-	-0-
14	(bx) Major highway development,				
15	federal funds	SEG-F	C	57,328,100	57,948,500
16	(cq) State highway rehabilitation, state				
17	funds	SEG	C	249,412,700	248,436,200
18	(cv) State highway rehabilitation, local				
19	funds	SEG-L	C	2,000,000	2,000,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(cx) State highway rehabilitation,				
2	federal funds	SEG-F	C	295,761,500	301,215,500
3	(eq) Highway maintenance, repair and				
4	traffic operations, state funds	SEG	B	154,228,300	154,738,300
5	(ev) Highway maintenance, repair and				
6	traffic operations, local funds	SEG-L	C	250,000	250,000
7	(ex) Highway maintenance, repair and				
8	traffic operations, federal funds	SEG-F	C	1,194,000	1,194,000
9	(gq) Intelligent transportation systems,				
10	state funds	SEG	A	-0-	-0-
11	(gv) Intelligent transportation systems,				
12	local funds	SEG-L	C	-0-	-0-
13	(gx) Intelligent transportation systems,				
14	federal funds	SEG-F	C	-0-	-0-
15	(iq) Administration and planning, state				
16	funds	SEG	A	19,486,000	19,431,000
17	(ir) Disadvantaged business				
18	mobilization assistance, state funds	SEG	C	-0-	-0-
19	(iv) Administration and planning, local				
20	funds	SEG-L	C	-0-	-0-
21	(ix) Administration and planning,				
22	federal funds	SEG-F	C	5,800,000	5,800,000
		(3) PROGRAM TOTALS			
	SEGREGATED FUNDS			947,636,900	953,078,900
	FEDERAL			(360,083,600)	(366,158,000)
	OTHER			(465,673,400)	(464,763,700)
	SERVICE			(119,629,900)	(119,907,200)

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	1999-00	2000-01
LOCAL				(2,250,000)	(2,250,000)
TOTAL-ALL SOURCES				947,636,900	953,078,900
1	(4) GENERAL TRANSPORTATION OPERATIONS				
2	(aq) Departmental management and				
3	operations, state funds	SEG	A	48,831,400	50,145,500
4	(ar) Minor construction projects, state				
5	funds	SEG	C	-0-	-0-
6	(at) Capital building projects, service				
7	funds	SEG-S	C	2,785,400	2,785,400
8	(av) Departmental management and				
9	operations, local funds	SEG-L	C	369,000	369,000
10	(ax) Departmental management and				
11	operations, federal funds	SEG-F	C	13,677,900	13,715,300
12	(ch) Gifts and grants	SEG	C	-0-	-0-
13	(dq) Demand management	SEG	A	280,300	280,300
14	(eq) Data processing services, service				
15	funds	SEG-S	C	15,109,600	15,109,600
16	(er) Fleet operations, service funds	SEG-S	C	11,823,100	12,000,300
17	(es) Other department services,				
18	operations, service funds	SEG-S	C	1,051,100	1,051,100
19	(et) Equipment acquisition	SEG	A	-0-	-0-
20	(ew) Operating budget supplements,				
21	state funds	SEG	C	-0-	-0-
(4) PROGRAM TOTALS					
SEGREGATED FUNDS				93,927,800	95,456,500
FEDERAL				(13,677,900)	(13,715,300)

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	1999-00	2000-01
	OTHER			(49,111,700)	(50,425,800)
	SERVICE			(30,769,200)	(30,946,400)
	LOCAL			(369,000)	(369,000)
	TOTAL-ALL SOURCES			93,927,800	95,456,500
1	(5) MOTOR VEHICLE SERVICES AND ENFORCEMENT				
2	(cg) Vehicle registration, telephone				
3	renewal transactions, state funds	PR	C	-0-	-0-
4	(ch) Repaired salvage vehicle				
5	examinations, state funds	PR	C	-0-	-0-
6	(ci) Breath screening instruments,				
7	state funds	PR	C	290,900	-0-
8	(cj) Vehicle registration, special group				
9	plates, state funds	PR	C	-0-	-0-
10	(cq) Veh. reg., insp. & maint., driver				
11	licensing & aircraft reg., state				
12	funds	SEG	A	67,083,200	67,937,400
13	(cx) Vehicle registration and driver				
14	licensing, federal funds	SEG-F	C	200,000	200,000
15	(dg) Escort, security and traffic				
16	enforcement services, state funds	PR	C	79,200	79,200
17	(dh) Traffic academy tuition payments,				
18	state funds	PR	C	341,500	374,800
19	(di) Chemical testing training and				
20	services, state funds	PR	A	1,041,500	1,003,800
21	(dk) Public safety radio management,				
22	service funds	PR-S	C	202,200	202,200

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(dL) Public safety radio management,				
2	state funds	PR	C	22,000	22,000
3	(dq) Vehicle inspection, traffic				
4	enforcement and radio				
5	management, state funds	SEG	A	42,954,900	44,077,600
6	(dx) Vehicle inspection and traffic				
7	enforcement, federal funds	SEG-F	C	2,194,800	2,159,800
8	(hq) Motor veh. emission insp. and				
9	maint. program, contractor costs,				
10	state funds	SEG	A	7,881,700	7,881,700
11	(hx) Motor vehicle emission inspection				
12	and maintenance programs, federal				
13	funds	SEG-F	C	2,528,000	2,854,800
14	(iv) Municipal and county registration				
15	fee, local funds	SEG-L	C	-0-	-0-
16	(jr) Pretrial intoxicated driver				
17	intervention grants, state funds	SEG	A	265,000	464,700
	(5) P R O G R A M T O T A L S				
	PROGRAM REVENUE			1,977,300	1,682,000
	OTHER			(1,775,100)	(1,479,800)
	SERVICE			(202,200)	(202,200)
	SEGREGATED FUNDS			123,107,600	125,576,000
	FEDERAL			(4,922,800)	(5,214,600)
	OTHER			(118,184,800)	(120,361,400)
	LOCAL			(-0-)	(-0-)
	TOTAL-ALL SOURCES			125,084,900	127,258,000
18	(6) DEBT SERVICES				

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(aq) Principal repayment and interest,				
2	transportation facilities, state funds	SEG	S	6,278,800	6,353,500
3	(ar) Principal repayment and interest,				
4	buildings, state funds	SEG	S	510,100	327,600
	(6) PROGRAM TOTALS				
	SEGREGATED FUNDS			6,788,900	6,681,100
	OTHER			(6,788,900)	(6,681,100)
	TOTAL-ALL SOURCES			6,788,900	6,681,100
5	(9) GENERAL PROVISIONS				
6	(qh) Highways, bridges and local				
7	transportation assistance clearing				
8	account	SEG	C	-0-	-0-
9	(qj) Hwys., bridges & local transp.				
10	assist. clearing acct., fed. funded				
11	pos.	SEG-F	C	-0-	-0-
	(9) PROGRAM TOTALS				
	SEGREGATED FUNDS			-0-	-0-
	FEDERAL			(-0-)	(-0-)
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			-0-	-0-
	20.395 DEPARTMENT TOTALS				
	PROGRAM REVENUE			1,977,300	1,682,000
	OTHER			(1,775,100)	(1,479,800)
	SERVICE			(202,200)	(202,200)
	SEGREGATED FUNDS			1,982,081,000	1,934,766,400
	FEDERAL			(606,088,000)	(555,697,000)
	OTHER			(1,153,920,900)	(1,162,645,800)
	SERVICE			(150,399,100)	(150,853,600)
	LOCAL			(71,673,000)	(65,570,000)
	TOTAL-ALL SOURCES			1,984,058,300	1,936,448,400
	Environmental Resources				
	FUNCTIONAL AREA TOTALS				
	GENERAL PURPOSE REVENUES			207,733,600	209,695,900
	PROGRAM REVENUE			51,356,600	51,066,400

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
FEDERAL			(16,032,900)	(15,838,400)
OTHER			(20,368,800)	(20,118,400)
SERVICE			(14,954,900)	(15,109,600)
SEGREGATED FUNDS			2,247,083,500	2,192,772,200
FEDERAL			(632,119,000)	(581,728,000)
OTHER			(1,392,892,400)	(1,394,620,600)
SERVICE			(150,399,100)	(150,853,600)
LOCAL			(71,673,000)	(65,570,000)
TOTAL-ALL SOURCES			2,506,173,700	2,453,534,500

Human Relations and Resources

1	20.410 Corrections, department of				
2	(1) ADULT CORRECTIONAL SERVICES				
3	(a) General program operations	GPR	A	288,663,000	304,335,200
4	(aa) Institutional repair and				
5	maintenance	GPR	A	3,222,400	3,514,200
6	(ab) Corrections contracts and				
7	agreements	GPR	A	85,122,100	85,224,100
8	(b) Services for community corrections	GPR	A	110,392,900	123,464,400
9	(bm) Pharmacological treatment for				
10	certain child sex offenders	GPR	A	676,800	676,800
11	(bn) Reimbursing counties for probation,				
12	extended supervision and parole				
13	holds	GPR	A	4,019,800	4,019,800
14	(c) Reimbursement claims of counties				
15	containing state prisons	GPR	S	261,900	261,900
16	(cm) Home detention program	GPR	A	-0-	-0-
17	(cw) Mother-young child care program	GPR	A	200,000	200,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(d) Purchased services for offenders	GPR	A	14,962,900	15,157,800
2	(e) Principal repayment and interest	GPR	S	49,422,800	49,709,200
3	(ec) Prison industries principal, interest				
4	and rebates	GPR	S	–0–	–0–
5	(ed) Correctional facilities rental	GPR	A	–0–	–0–
6	(ef) Lease rental payments	GPR	S	–0–	–0–
7	(f) Energy costs	GPR	A	9,632,700	9,882,700
8	(fm) Offender release information	GPR	B	–0–	–0–
9	(g) Loan fund for persons on probation,				
10	extended supervision or parole	PR	A	6,000	6,000
11	(gb) Drug testing	PR	C	38,900	38,900
12	(gc) Sex offender honesty testing	PR	C	–0–	–0–
13	(ge) Administrative and minimum				
14	supervision	PR	A	488,300	488,400
15	(gf) Probation, parole and extended				
16	supervision	PR	A	5,114,000	5,300,000
17	(gg) Supervision of defendants and				
18	offenders	PR	A	–0–	–0–
19	(gh) Supervision of persons on lifetime				
20	supervision	PR	A	–0–	–0–
21	(gi) General operations	PR	A	1,153,100	1,153,100
22	(gm) Sale of fuel and utility service	PR	A	–0–	–0–
23	(gr) Home detention services	PR	A	1,522,800	1,523,500

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(gt) Telephone company commissions	PR	A	1,053,700	832,700
2	(h) Administration of restitution	PR	A	680,900	680,900
3	(hm) Private business employment of				
4	inmates and residents	PR	A	693,000	693,000
5	(i) Gifts and grants	PR	C	33,400	33,400
6	(j) State-owned housing maintenance	PR	A	-0-	-0-
7	(kc) Correctional institution enterprises;				
8	inmate activities and employment	PR-S	C	1,042,900	1,042,900
9	(kf) Correctional farms	PR-S	A	3,260,200	3,374,200
10	(kh) Victim services and programs	PR-S	A	104,100	171,400
11	(kk) Institutional operations and				
12	charges	PR-S	A	12,795,000	12,795,700
13	(km) Prison industries	PR-S	A	20,808,900	21,508,000
14	(ko) Prison industries principal				
15	repayment, interest and rebates	PR-S	S	97,600	101,900
16	(kp) Correctional officer training	PR-S	A	1,440,700	1,440,700
17	(kx) Interagency and intra-agency				
18	programs	PR-S	C	2,767,400	3,358,900
19	(ky) Interagency and intra-agency aids	PR-S	C	1,442,100	1,442,100
20	(kz) Interagency and intra-agency local				
21	assistance	PR-S	C	-0-	-0-
22	(m) Federal project operations	PR-F	C	2,473,100	2,473,100
23	(n) Federal program operations	PR-F	C	86,800	86,800

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(qm) Computer recycling	SEG	A	500,000	500,000
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			566,577,300	596,446,100
	PROGRAM REVENUE			57,102,900	58,545,600
	FEDERAL			(2,559,900)	(2,559,900)
	OTHER			(10,784,100)	(10,749,900)
	SERVICE			(43,758,900)	(45,235,800)
	SEGREGATED FUNDS			500,000	500,000
	OTHER			(500,000)	(500,000)
	TOTAL-ALL SOURCES			624,180,200	655,491,700
2	(2) PAROLE COMMISSION				
3	(a) General program operations	GPR	A	727,800	727,800
4	(kx) Interagency and intra-agency				
5	programs	PR-S	C	-0-	-0-
	(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			727,800	727,800
	PROGRAM REVENUE			-0-	-0-
	SERVICE			(-0-)	(-0-)
	TOTAL-ALL SOURCES			727,800	727,800
6	(3) JUVENILE CORRECTIONAL SERVICES				
7	(a) General program operations	GPR	A	1,498,200	1,498,200
8	(ba) Mendota juvenile treatment center	GPR	A	1,273,900	1,379,300
9	(bb) Juvenile boot camp program	GPR	A	844,400	712,800
10	(c) Reimbursement claims of counties				
11	containing secured correctional				
12	facilities	GPR	A	200,000	200,000
13	(cd) Community youth and family aids	GPR	A	81,734,500	83,734,500
14	(cg) Serious juvenile offenders	GPR	B	11,973,400	14,407,100
15	(d) Youth diversion	GPR	A	380,000	380,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(e) Principal repayment and interest	GPR	S	4,361,400	4,131,600
2	(f) Community intervention program	GPR	A	5,000,000	5,000,000
3	(g) Legal service collections	PR	C	–0–	–0–
4	(gg) Collection remittances to local units				
5	of government	PR	C	–0–	–0–
6	(hm) Juvenile correctional services	PR	A	61,540,700	61,471,800
7	(ho) Juvenile residential aftercare	PR	A	10,566,600	12,387,500
8	(hr) Juvenile corrective sanctions				
9	program	PR	A	3,544,500	3,609,400
10	(i) Gifts and grants	PR	C	5,300	5,300
11	(j) State-owned housing maintenance	PR	A	35,000	35,000
12	(jr) Institutional operations and				
13	charges	PR	A	208,600	208,600
14	(jv) Secure detention services	PR	C	–0–	–0–
15	(kj) Youth diversion program	PR-S	A	720,000	720,000
16	(ko) Interagency programs; community				
17	youth and family aids	PR-S	C	2,449,200	2,449,200
18	(kp) Interagency programs; alcohol and				
19	other drug abuse	PR-S	C	300,000	300,000
20	(kx) Interagency and intra-agency				
21	programs	PR-S	C	1,251,200	1,251,200
22	(ky) Interagency and intra-agency aids	PR-S	C	–0–	–0–

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(kz) Interagency and intra-agency local				
2	assistance	PR-S	C	-0-	-0-
3	(m) Federal project operations	PR-F	C	-0-	-0-
4	(n) Federal program operations	PR-F	C	30,000	30,000
5	(o) Federal aid; foster care and				
6	treatment foster care	PR-F	C	-0-	-0-
7	(q) Girls school benevolent trust fund	SEG	C	-0-	-0-
(3) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			107,265,800	111,443,500
	PROGRAM REVENUE			80,651,100	82,468,000
	FEDERAL			(30,000)	(30,000)
	OTHER			(75,900,700)	(77,717,600)
	SERVICE			(4,720,400)	(4,720,400)
	SEGREGATED FUNDS			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			187,916,900	193,911,500
20.410 DEPARTMENT TOTALS					
	GENERAL PURPOSE REVENUES			674,570,900	708,617,400
	PROGRAM REVENUE			137,754,000	141,013,600
	FEDERAL			(2,589,900)	(2,589,900)
	OTHER			(86,684,800)	(88,467,500)
	SERVICE			(48,479,300)	(49,956,200)
	SEGREGATED FUNDS			500,000	500,000
	OTHER			(500,000)	(500,000)
	TOTAL-ALL SOURCES			812,824,900	850,131,000
8	20.425 Employment relations commission				
9	(1) PROMOTION OF PEACE IN LABOR RELATIONS				
10	(a) General program operations	GPR	A	2,662,600	2,662,600
11	(g) Publications	PR	A	31,200	19,300
12	(h) Collective bargaining training	PR	A	50,500	12,000
13	(i) Fees	PR	A	190,200	190,200

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
20.425 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			2,662,600	2,662,600
PROGRAM REVENUE			271,900	221,500
OTHER			(271,900)	(221,500)
TOTAL-ALL SOURCES			2,934,500	2,884,100

1 20.432 Board on aging and long-term care

2 (1) IDENTIFICATION OF THE NEEDS OF THE AGED AND DISABLED

3 (a) General program operations	GPR	A	578,400	618,500
4 (i) Gifts and grants	PR	C	-0-	-0-
5 (k) Contracts with state agencies	PR-S	A	842,700	1,072,000
6 (kb) Insurance and other information,				
7 counseling and assistance	PR-S	A	229,500	248,800
8 (m) Federal aid	PR-F	C	-0-	-0-

20.432 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			578,400	618,500
PROGRAM REVENUE			1,072,200	1,320,800
FEDERAL			(-0-)	(-0-)
OTHER			(-0-)	(-0-)
SERVICE			(1,072,200)	(1,320,800)
TOTAL-ALL SOURCES			1,650,600	1,939,300

9 20.433 Child abuse and neglect prevention board

10 (1) PREVENTION OF CHILD ABUSE AND NEGLECT

11 (b) Early childhood family education

12 center grants	GPR	A	-0-	-0-
13 (g) General program operations	PR	A	296,400	309,500
14 (h) Grants to organizations	PR	C	1,480,000	1,480,000
15 (i) Gifts and grants	PR	C	-0-	-0-
16 (k) Interagency programs	PR-S	C	340,000	340,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(m) Federal project operations	PR-F	C	108,500	108,500
2	(ma) Federal project aids	PR-F	C	350,000	350,000
3	(q) Children's trust fund grants	SEG	C	-0-	-0-
4	(r) Children's trust fund; general				
5	program operations and statewide				
6	projects	SEG	A	30,000	30,000
20.433 DEPARTMENT TOTALS					
	GENERAL PURPOSE REVENUES			-0-	-0-
	PROGRAM REVENUE			2,574,900	2,588,000
	FEDERAL			(458,500)	(458,500)
	OTHER			(1,776,400)	(1,789,500)
	SERVICE			(340,000)	(340,000)
	SEGREGATED FUNDS			30,000	30,000
	OTHER			(30,000)	(30,000)
	TOTAL-ALL SOURCES			2,604,900	2,618,000
7	20.434 Adolescent pregnancy prevention and pregnancy services				
8	(1) ADOLESCENT PREGNANCY PREVENTION AND PREGNANCY SERVICES				
9	(a) General program operations	GPR	A	22,400	22,400
10	(b) Grants to organizations	GPR	A	87,900	87,900
11	(kp) Interagency and intra-agency				
12	programs	PR-S	A	89,800	89,800
13	(ky) Interagency and intra-agency aids;				
14	pregnancy prevention and services	PR-S	C	351,400	351,400
20.434 DEPARTMENT TOTALS					
	GENERAL PURPOSE REVENUES			110,300	110,300
	PROGRAM REVENUE			441,200	441,200
	SERVICE			(441,200)	(441,200)
	TOTAL-ALL SOURCES			551,500	551,500

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	20.435 Health and family services, department of				
2	(1) PUBLIC HEALTH SVCS PLANNING, REG & DELIVERY; PUBLIC HLTH; STATE OPERATIONS				
3	(a) General program operations	GPR	A	5,341,000	5,243,000
4	(gm) Licensing, review and certifying				
5	activities fee; supplies and services	PR	A	4,955,000	5,097,000
6	(gr) Supplemental food program for				
7	women, infants and children				
8	adminstration	PR	C	-0-	-0-
9	(i) Gifts and grants	PR	C	174,500	204,900
10	(jb) Congenital disorders; operations	PR	A	16,200	16,200
11	(kx) Interagency and intra-agency				
12	programs	PR-S	C	696,600	740,400
13	(m) Federal project operations	PR-F	C	11,765,300	12,689,700
14	(mc) Block grant operations	PR-F	C	6,077,100	6,079,000
15	(n) Federal program operations	PR-F	C	2,962,500	2,973,200
16	(q) Groundwater and air quality				
17	standards	SEG	A	331,000	331,000
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			5,341,000	5,243,000
	PROGRAM REVENUE			26,647,200	27,800,400
	FEDERAL			(20,804,900)	(21,741,900)
	OTHER			(5,145,700)	(5,318,100)
	SERVICE			(696,600)	(740,400)
	SEGREGATED FUNDS			331,000	331,000
	OTHER			(331,000)	(331,000)
	TOTAL-ALL SOURCES			32,319,200	33,374,400
18	(2) CARE AND TREATMENT FACILITIES				

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(a) General program operations	GPR	A	39,482,600	39,743,400
2	(aa) Institutional repair and				
3	maintenance	GPR	A	415,700	442,400
4	(b) Wisconsin resource center	GPR	A	20,118,700	27,535,400
5	(bj) Conditional and supervised release				
6	treatment and services	GPR	B	3,568,500	4,060,300
7	(bm) Secure mental health units or				
8	facilities	GPR	A	8,866,600	8,141,200
9	(ee) Principal repayment and interest	GPR	S	10,373,700	10,925,900
10	(ef) Lease rental payments	GPR	S	–0–	–0–
11	(f) Energy costs	GPR	A	2,241,900	2,283,600
12	(gk) Institutional operations and				
13	charges	PR	A	150,426,300	152,571,600
14	(gs) Sex offender honesty testing	PR	C	–0–	–0–
15	(i) Gifts and grants	PR	C	173,400	173,400
16	(kx) Interagency and intra–agency				
17	programs	PR–S	C	6,788,200	6,897,300
18	(ky) Interagency and intra–agency aids	PR–S	C	–0–	–0–
19	(kz) Interagency and intra–agency local				
20	assistance	PR–S	C	–0–	–0–
21	(m) Federal project operations	PR–F	C	–0–	–0–
(2) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			85,067,700	93,132,200
	PROGRAM REVENUE			157,387,900	159,642,300
	FEDERAL			(–0–)	(–0–)
	OTHER			(150,599,700)	(152,745,000)

STATUTE, AGENCY AND PURPOSE			SOURCE	TYPE	1999-00	2000-01
SERVICE					(6,788,200)	(6,897,300)
TOTAL-ALL SOURCES					242,455,600	252,774,500
1	(3)	CHILDREN AND FAMILY SERVICES				
2	(a)	General program operations	GPR	A	3,169,100	3,501,300
3	(bc)	Grants for community programs	GPR	A	847,200	847,200
4	(bm)	Assistance for children and families	GPR	S	-0-	250,000
5	(c)	Statutory rape prosecution pilot				
6		program	GPR	C	183,700	-0-
7	(cd)	Domestic abuse grants	GPR	A	5,070,200	5,070,200
8	(cf)	Foster, treatment foster and				
9		family-operated group home ins. &				
10		liability	GPR	A	60,000	60,000
11	(cw)	Milwaukee child welfare services;				
12		general program operations	GPR	A	10,870,200	11,177,700
13	(cx)	Milwaukee child welfare services;				
14		aids	GPR	A	23,478,400	12,161,500
15	(dd)	State foster care and adoption				
16		services	GPR	A	19,692,600	22,922,100
17	(de)	Child abuse and neglect prevention				
18		grants	GPR	A	995,700	995,700
19	(df)	Child abuse and neglect prevention				
20		technical assistance	GPR	A	160,000	160,000
21	(dg)	State adoption information				
22		exchange and state adoption center	GPR	A	125,000	125,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
1	(dn) Food distribution grants	GPR	A	170,000	170,000
2	(eg) Adolescent services	GPR	A	115,000	592,400
3	(fm) Community alcohol and other drug				
4	abuse prevention program	GPR	A	250,000	–0–
5	(gx) Milwaukee child welfare services;				
6	collections	PR	C	2,992,300	2,992,300
7	(hh) Domestic abuse assessment grants	PR	C	300,000	300,000
8	(i) Gifts and grants	PR	C	–0–	–0–
9	(jb) Fees for administrative services	PR	C	20,000	20,000
10	(jj) Searches for birth parents and				
11	adoption record information;				
12	foreign adopt	PR	A	60,800	60,800
13	(jm) Licensing activities	PR	A	758,000	758,300
14	(kc) Interagency and intra–agency aids;				
15	kinship care and long–term kinship				
16	care	PR–S	A	22,965,400	24,521,700
17	(kd) Kinship care and long–term kinship				
18	care assessments	PR–S	A	1,464,000	1,464,000
19	(km) Federal block grant transfer; aids	PR–S	A	2,492,100	2,517,100
20	(kw) Interagency and intra–agency aids;				
21	Milwaukee child welfare services	PR–S	C	58,893,500	58,893,500
22	(kx) Interagency and intra–agency				
23	programs	PR–S	C	4,413,500	4,519,100
24	(ky) Interagency and intra–agency aids	PR–S	C	815,000	815,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(kz) Interagency and intra-agency local				
2	assistance	PR-S	C	1,090,000	1,090,000
3	(m) Federal project operations	PR-F	C	270,200	270,300
4	(ma) Federal project aids	PR-F	C	1,593,300	1,468,300
5	(mb) Federal project local assistance	PR-F	C	-0-	-0-
6	(mc) Federal block grant operations	PR-F	C	2,313,000	2,051,200
7	(md) Federal block grant aids	PR-F	C	6,314,700	5,114,700
8	(me) Federal block grant local assistance	PR-F	C	250,000	-0-
9	(mw) Federal aid; Milwaukee child				
10	welfare services general program				
11	operations	PR-F	C	4,617,400	4,891,000
12	(mx) Federal aid; Milwaukee child				
13	welfare services aids	PR-F	C	6,187,300	6,934,800
14	(n) Federal program operations	PR-F	C	4,158,500	5,104,200
15	(na) Federal program aids	PR-F	C	2,915,000	2,915,000
16	(nL) Federal program local assistance	PR-F	C	4,560,600	5,889,200
17	(o) Community aids; prevention				
18	activities	PR-F	C	2,710,100	2,710,100
19	(pd) Federal aid; state foster care and				
20	adoption services	PR-F	C	18,314,300	21,283,100
21	(pm) Federal aid; adoption incentive				
22	payments	PR-F	C	317,400	1,022,100
(3) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			65,187,100	58,033,100
	PROGRAM REVENUE			150,786,400	157,605,800
	FEDERAL			(54,521,800)	(59,654,000)

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
	OTHER			(4,131,100)	(4,131,400)
	SERVICE			(92,133,500)	(93,820,400)
	TOTAL–ALL SOURCES			215,973,500	215,638,900
1	(4) HEALTH SERVICES PLANNING, REGULATION AND DELIVERY; HEALTH CARE FINANCING				
2	(a) General program operations	GPR	A	7,313,200	7,378,800
3	(af) HIRSP; transfer to fund for costs	GPR	A	9,900,000	11,900,000
4	(ah) HIRSP; transfer to fund for				
5	premium and deductible reduction				
6	subsidy	GPR	B	780,800	780,800
7	(b) Medical assistance program				
8	benefits	GPR	B	972,242,300	986,497,400
9	(bc) Health care for low–income families	GPR	C	22,356,500	34,218,300
10	(bm) Medical assistance administration	GPR	B	19,193,200	18,813,800
11	(bt) Relief block grants to counties	GPR	A	2,000,000	2,000,000
12	(d) Facility appeals mechanism	GPR	A	546,800	546,800
13	(e) Disease aids	GPR	B	4,060,300	4,932,000
14	(g) Family care benefit; cost sharing	PR	C	–0–	8,476,700
15	(gm) Health services regulation and vital				
16	statistics	PR	A	1,610,100	1,610,700
17	(gp) Health care and graduate medical				
18	education; aids	PR	C	1,550,000	1,500,000
19	(h) General assistance medical				
20	program; intergovernmental				
21	transfer	PR	A	2,500,000	2,500,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
1	(hg) General program operations; health				
2	care information	PR	A	2,092,000	2,437,500
3	(hi) Compilations and special reports	PR	C	–0–	–0–
4	(i) Gifts and grants; health care				
5	financing	PR	C	–0–	–0–
6	(im) Medical assistance; recovery of				
7	correct payments	PR	C	14,502,700	14,502,700
8	(in) Community options program; costs				
9	of care recovery administration	PR	A	72,500	72,600
10	(jz) Badger care premiums	PR	C	1,199,300	1,660,200
11	(kb) Relief block grants to tribal				
12	governing bodies	PR–S	A	800,000	800,000
13	(kx) Interagency and intra–agency				
14	programs	PR–S	C	1,074,000	1,374,000
15	(ky) Interagency and intra–agency aids	PR–S	C	1,008,700	1,070,000
16	(kz) Interagency and intra–agency local				
17	assistance	PR–S	C	–0–	–0–
18	(m) Federal project operations	PR–F	C	347,500	338,500
19	(ma) Federal project aids	PR–F	C	–0–	–0–
20	(md) Federal block grant aids	PR–F	C	–0–	–0–
21	(n) Federal program operations	PR–F	C	22,370,400	22,506,800
22	(na) Federal program aids	PR–F	C	7,088,700	7,088,700
23	(o) Federal aid; medical assistance	PR–F	C	1,766,435,700	1,852,582,900

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(p) Federal aid; health care for				
2	low-income families	PR-F	C	40,033,600	61,758,100
3	(pa) Federal aid; medical assistance				
4	contracts administration	PR-F	C	35,269,200	36,889,100
5	(u) HIRSP; administration	SEG	B	3,805,000	3,805,000
6	(v) HIRSP; program benefits	SEG	C	46,668,500	46,668,500
	(4) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			1,038,393,100	1,067,067,900
	PROGRAM REVENUE			1,897,954,400	2,017,168,500
	FEDERAL			(1,871,545,100)	(1,981,164,100)
	OTHER			(23,526,600)	(32,760,400)
	SERVICE			(2,882,700)	(3,244,000)
	SEGREGATED FUNDS			50,473,500	50,473,500
	OTHER			(50,473,500)	(50,473,500)
	TOTAL-ALL SOURCES			2,986,821,000	3,134,709,900
7	(5) PUBLIC HEALTH SVCS PLANNING, REG & DELIVERY; PUBLIC HLTH; AIDS/LOCAL ASSIST				
8	(am) Services, reimburse & payment				
9	related to acquired				
10	immunodeficiency syndrome	GPR	A	3,715,900	4,083,800
11	(cb) Women's health services	GPR	A	1,225,000	1,027,600
12	(cc) Cancer treatment, training,				
13	follow-up, control and prevention	GPR	A	1,282,800	1,282,800
14	(ce) Services for homeless individuals	GPR	C	125,000	125,000
15	(ch) Emergency medical services; aids	GPR	A	2,200,000	2,200,000
16	(cm) Immunization	GPR	S	-0-	-0-
17	(de) Dental services	GPR	A	2,860,500	2,970,500

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(dg) Tobacco prevention and education				
2	program	GPR	A	1,000,000	1,000,000
3	(ds) Statewide poison control program	GPR	A	375,000	375,000
4	(e) Public health dispensaries and				
5	drugs	GPR	B	391,900	391,900
6	(ed) Radon aids	GPR	A	30,000	30,000
7	(ef) Lead poisoning or lead exposure				
8	services	GPR	A	1,004,100	1,004,100
9	(eg) Pregnancy counseling	GPR	A	275,000	275,000
10	(em) Supplemental food program for				
11	women, infants and children				
12	benefits	GPR	C	167,300	167,300
13	(ev) Pregnancy outreach and infant				
14	health	GPR	A	350,000	350,000
15	(f) Family planning	GPR	A	1,955,200	1,955,200
16	(fh) Community health services	GPR	A	3,975,000	4,475,000
17	(i) Gifts and grants; aids	PR	C	-0-	-0-
18	(ja) Congenital disorders; diagnosis,				
19	special dietary treatment and				
20	counseling	PR	A	1,456,400	1,456,400
21	(jk) Newborn hearing screening				
22	programs	PR	C	333,000	333,000
23	(ke) Cooperative American Indian				
24	health projects	PR-S	A	120,000	120,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(ky) Interagency and intra-agency aids	PR-S	C	2,517,000	2,517,000
2	(kz) Interagency and intra-agency local				
3	assistance	PR-S	C	234,100	234,100
4	(ma) Federal project aids	PR-F	C	3,614,100	3,614,100
5	(md) Block grant aids	PR-F	C	9,174,000	9,174,000
6	(na) Federal program aids	PR-F	C	56,803,000	56,803,000
	(5) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			20,932,700	21,713,200
	PROGRAM REVENUE			74,251,600	74,251,600
	FEDERAL			(69,591,100)	(69,591,100)
	OTHER			(1,789,400)	(1,789,400)
	SERVICE			(2,871,100)	(2,871,100)
	TOTAL-ALL SOURCES			95,184,300	95,964,800
7	(6) SUPPORTIVE LIVING; STATE OPERATIONS				
8	(a) General program operations;				
9	projects; council on physical				
10	disabilities	GPR	A	13,420,300	13,901,200
11	(dm) Nursing home monitoring and				
12	receivership supplement	GPR	S	-0-	-0-
13	(e) Principal repayment and interest	GPR	S	32,500	31,400
14	(ee) Admin. exp. for state suppl to				
15	federal supplemental security				
16	income program	GPR	A	859,800	859,800
17	(g) Nursing facility resident protection	PR	C	150,000	150,000
18	(ga) Community-based residential				
19	facility monitoring and receivership				
20	ops	PR	C	-0-	-0-

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01	
1	(gb) Alcohol and drug abuse initiatives	PR	C	733,800	733,800	
2	(gd) Group home revolving loan fund	PR	A	100,000	100,000	
3	(gg) Contractural services	PR	C	-0-	-0-	
4	(hs) Interpreter services for hearing					
5	impaired	PR	A	40,000	40,000	
6	(hx) Services related to drivers, receipts	PR	A	-0-	-0-	
7	(i) Gifts and grants	PR	C	21,200	21,200	
8	(jb) Fees for administrative services	PR	C	420,800	420,800	
9	(jm) Licensing and support services	PR	A	2,729,500	3,124,200	
10	(k) Nursing home monitoring and					
11	receivership operations	PR-S	C	-0-	-0-	
12	(kd) Rehabilitation teaching					
13	administration	PR-S	C	100,000	100,000	
14	(kx) Interagency and intra-agency					
15	programs	PR-S	C	1,579,800	1,531,900	
16	(m) Federal project operations	PR-F	C	4,392,200	4,263,700	
17	(mc) Federal block grant operations	PR-F	C	2,138,200	2,099,800	
18	(n) Federal program operations	PR-F	C	14,558,100	14,917,300	
	(6) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			14,312,600	14,792,400	
	PROGRAM REVENUE			26,963,600	27,502,700	
	FEDERAL			(21,088,500)	(21,280,800)	
	OTHER			(4,195,300)	(4,590,000)	
	SERVICE			(1,679,800)	(1,631,900)	
	TOTAL-ALL SOURCES			41,276,200	42,295,100	
19	(7) SUPPORTIVE LIVING; AIDS AND LOCAL ASSISTANCE					

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999–00	2000–01
1	(b) Community aids	GPR	A	182,507,900	195,965,700
2	(bc) Grants for community programs	GPR	A	6,757,600	6,727,600
3	(bd) Community options program; pilot				
4	projects; family care benefit	GPR	A	103,982,800	105,967,200
5	(be) Mental health treatment services	GPR	A	12,334,000	12,334,000
6	(bg) Alzheimer's disease; training and				
7	information grants	GPR	A	132,700	132,700
8	(bL) Community support program				
9	grants	GPR	A	186,900	186,900
10	(bm) Purchased services for clients	GPR	A	163,900	163,900
11	(br) Respite care	GPR	A	50,000	225,000
12	(bt) Early intervention services for				
13	infants and toddlers with				
14	disabilities	GPR	A	4,759,200	4,759,200
15	(c) Independent living centers	GPR	A	1,221,000	1,283,500
16	(ce) Services for homeless individuals	GPR	A	45,000	45,000
17	(cg) Guardianship grant program	GPR	A	193,600	193,600
18	(co) Integrated service programs for				
19	children with severe disabilities	GPR	A	133,300	133,300
20	(d) Telecommunication aid for the				
21	hearing impaired	GPR	A	80,000	80,000
22	(da) Reimbursements to local units of				
23	government	GPR	S	400,000	400,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(dh) Programs for senior citizens; elder				
2	abuse services; benefit specialist				
3	pgm	GPR	A	10,161,100	10,161,100
4	(ed) State supplement to federal				
5	supplemental security income				
6	program	GPR	S	128,281,600	128,281,600
7	(gg) Collection remittances to local units				
8	of government	PR	C	100,000	100,000
9	(hy) Services for drivers, local assistance	PR	A	1,000,000	1,000,000
10	(i) Gifts and grants; local assistance	PR	C	–0–	–0–
11	(im) Community options program;				
12	family care benefit; recovery of				
13	costs	PR	C	15,000	15,000
14	(kb) Severely emotionally disturbed				
15	children	PR-S	C	1,242,300	1,242,300
16	(kc) Independent living center grants	PR-S	A	300,000	300,000
17	(kd) Rehabilitation teaching aids	PR-S	C	22,700	22,700
18	(kg) Compulsive gambling awareness				
19	campaigns	PR-S	A	250,000	250,000
20	(kL) Indian aids	PR-S	A	271,600	271,600
21	(km) Indian drug abuse prevention and				
22	education	PR-S	A	500,000	500,000
23	(kw) Interagency community aids	PR-S	A	31,800,000	18,086,200
24	(ky) Interagency and intra-agency aids	PR-S	C	14,070,700	18,303,500

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(kz) Interagency and intra-agency local				
2	assistance	PR-S	C	2,500,900	2,500,900
3	(ma) Federal project aids	PR-F	C	12,471,500	12,471,500
4	(mb) Federal project local assistance	PR-F	C	-0-	-0-
5	(md) Federal block grant aids	PR-F	C	5,906,700	7,392,700
6	(me) Federal block grant local assistance	PR-F	C	10,728,700	10,728,700
7	(na) Federal program aids	PR-F	C	22,687,700	22,687,700
8	(nL) Federal program local assistance	PR-F	C	5,553,800	5,553,800
9	(o) Federal aid; community aids	PR-F	C	88,538,900	84,555,100
	(7) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			451,390,600	467,040,300
	PROGRAM REVENUE			197,960,500	185,981,700
	FEDERAL			(145,887,300)	(143,389,500)
	OTHER			(1,115,000)	(1,115,000)
	SERVICE			(50,958,200)	(41,477,200)
	TOTAL-ALL SOURCES			649,351,100	653,022,000
10	(8) GENERAL ADMINISTRATION				
11	(a) General program operations	GPR	A	16,171,800	16,154,400
12	(i) Gifts and grants	PR	C	422,400	422,400
13	(k) Administrative and support				
14	services	PR-S	A	32,639,500	34,847,200
15	(kx) Interagency and intra-agency				
16	programs	PR-S	C	209,700	214,400
17	(ky) Interagency and intra-agency aids	PR-S	C	-0-	-0-
18	(kz) Interagency and intra-agency local				
19	assistance	PR-S	C	-0-	-0-

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(m) Federal project operations	PR-F	C	7,000	7,000
2	(ma) Federal project aids	PR-F	C	-0-	-0-
3	(mb) Income augmentation services				
4	receipts	PR-F	C	313,300	1,435,200
5	(mc) Federal block grant operations	PR-F	C	1,561,700	1,406,900
6	(mm) Reimbursements from federal				
7	government	PR-F	C	-0-	-0-
8	(n) Federal program operations	PR-F	C	3,721,500	2,337,400
9	(pz) Indirect cost reimbursements	PR-F	C	1,989,100	1,981,000
	(8) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			16,171,800	16,154,400
	PROGRAM REVENUE			40,864,200	42,651,500
	FEDERAL			(7,592,600)	(7,167,500)
	OTHER			(422,400)	(422,400)
	SERVICE			(32,849,200)	(35,061,600)
	TOTAL-ALL SOURCES			57,036,000	58,805,900
	20.435 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUES			1,696,796,600	1,743,176,500
	PROGRAM REVENUE			2,572,815,800	2,692,604,500
	FEDERAL			(2,191,031,300)	(2,303,988,900)
	OTHER			(190,925,200)	(202,871,700)
	SERVICE			(190,859,300)	(185,743,900)
	SEGREGATED FUNDS			50,804,500	50,804,500
	OTHER			(50,804,500)	(50,804,500)
	TOTAL-ALL SOURCES			4,320,416,900	4,486,585,500
10	20.436 Tobacco control board				
11	(1) SMOKING CESSATION AND EDUCATION				
12	(g) Gifts and grants	PR	C	-0-	-0-
13	(tb) General program operations	SEG	B	400,000	400,000
14	(tc) Grants	SEG	C	2,092,000	23,100,000

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
20.436 DEPARTMENT TOTALS				
PROGRAM REVENUE			-0-	-0-
OTHER			(-0-)	(-0-)
SEGREGATED FUNDS			2,492,000	23,500,000
OTHER			(2,492,000)	(23,500,000)
TOTAL-ALL SOURCES			2,492,000	23,500,000
1 20.440 Health and educational facilities authority				
2 (1) CONSTRUCTION OF HEALTH AND EDUCATIONAL FACILITIES				
3 (a) General program operations	GPR	C	-0-	-0-
(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			-0-	-0-
TOTAL-ALL SOURCES			-0-	-0-
4 (2) RURAL HOSPITAL LOAN GUARANTEE				
5 (a) Rural assistance loan fund	GPR	C	-0-	-0-
(2) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			-0-	-0-
TOTAL-ALL SOURCES			-0-	-0-
20.440 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			-0-	-0-
TOTAL-ALL SOURCES			-0-	-0-
6 20.445 Workforce development, department of				
7 (1) WORKFORCE DEVELOPMENT				
8 (a) General program operations	GPR	A	6,971,000	6,971,000
9 (aa) Special death benefit	GPR	S	479,100	479,100
10 (bc) Assistance for dislocated workers	GPR	A	-0-	-0-
11 (cm) Wisconsin service corps member				
12 compensation and support	GPR	C	94,300	94,300

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(f) Death and disability benefit				
2	payments; public insurrections	GPR	S	-0-	-0-
3	(fg) Employment transit aids, state				
4	funds	GPR	A	579,100	579,100
5	(g) Gifts and grants	PR	C	-0-	100
6	(ga) Auxiliary services	PR	C	586,500	586,500
7	(gb) Local agreements	PR	C	5,793,900	5,418,300
8	(gc) Unemployment administration	PR	C	-0-	-0-
9	(gd) Unemployment interest and				
10	penalty payments	PR	C	246,000	246,000
11	(ge) Unemployment reserve fund				
12	research	PR	A	263,700	251,500
13	(gf) Employment security				
14	administration	PR	A	1,566,100	1,525,900
15	(gg) Unemployment information				
16	technology systems; interest and				
17	penalties	PR	C	-0-	-0-
18	(gh) Unemployment information				
19	technology systems; assessments	PR	C	1,000,700	1,400
20	(ha) Worker's compensation operations	PR	A	9,495,500	9,561,300
21	(hb) Worker's compensation contracts	PR	C	500,000	500,000
22	(hp) Uninsured employers program;				
23	administration	PR	A	926,400	897,000
24	(jm) Dislocated worker program grants	PR	C	-0-	-0-

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(jr) Wisconsin service corps member				
2	compensation & support; sponsor				
3	contribution	PR	C	-0-	-0-
4	(ka) Interagency and intra-agency				
5	agreements	PR-S	C	281,100	131,200
6	(kc) Administrative services	PR-S	A	45,317,500	45,395,400
7	(km) Wisconsin service corps member				
8	compensation and support; service				
9	funds	PR-S	C	-0-	-0-
10	(kr) Employment transit aids, federal				
11	oil overcharge funds	PR-F	C	-0-	-0-
12	(L) Childsupport – related fees	PR	C	-0-	-0-
13	(m) Federal funds	PR-F	C	1,958,700	1,460,100
14	(ma) Federal aid — program				
15	administration	PR-F	C	3,076,100	3,081,900
16	(mb) Federal aid — employment and				
17	training local assistance	PR-F	C	1,186,900	1,149,700
18	(mc) Federal aid — employment and				
19	training aids	PR-F	C	20,497,000	19,882,200
20	(n) Unemployment administration;				
21	federal moneys	PR-F	C	81,860,400	76,060,700
22	(na) Employment security buildings and				
23	equipment	PR-F	C	99,300	99,300

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01	
1	(nb) Unemployment information					
2	technology systems; federal moneys	PR-F	C	-0-	-0-	
3	(ox) Employment transit aids, federal					
4	funds	PR-F	C	-0-	-0-	
5	(pz) Indirect cost reimbursements	PR-F	C	234,000	234,000	
6	(s) Self-insured employers liability					
7	fund	SEG	C	-0-	-0-	
8	(sm) Uninsured employers fund;					
9	payments	SEG	S	1,200,000	1,200,000	
10	(t) Work injury supplemental benefit					
11	fund	SEG	C	2,500,000	2,500,000	
	(1) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			8,123,500	8,123,500	
	PROGRAM REVENUE			174,889,800	166,482,500	
	FEDERAL			(108,912,400)	(101,967,900)	
	OTHER			(20,378,800)	(18,988,000)	
	SERVICE			(45,598,600)	(45,526,600)	
	SEGREGATED FUNDS			3,700,000	3,700,000	
	OTHER			(3,700,000)	(3,700,000)	
	TOTAL-ALL SOURCES			186,713,300	178,306,000	
12	(2) REVIEW COMMISSION					
13	(a) General program operations, review					
14	commission	GPR	A	186,500	186,500	
15	(ha) Worker's compensation operations	PR	A	582,500	551,900	
16	(m) Federal moneys	PR-F	C	121,600	115,200	
17	(n) Unemployment administration;					
18	federal moneys	PR-F	C	1,579,900	1,501,600	
	(2) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			186,500	186,500	

STATUTE, AGENCY AND PURPOSE			SOURCE	TYPE	1999-00	2000-01
		PROGRAM REVENUE			2,284,000	2,168,700
		FEDERAL			(1,701,500)	(1,616,800)
		OTHER			(582,500)	(551,900)
		TOTAL-ALL SOURCES			2,470,500	2,355,200
1	(3)	ECONOMIC SUPPORT				
2	(a)	General program operations	GPR	A	29,053,000	28,876,000
3	(br)	Public assistance reform studies	GPR	C	525,300	525,300
4	(cm)	Wisconsin works child care	GPR	A	16,449,400	16,449,400
5	(cr)	State supplement to employment				
6		opportunity demonstration projects	GPR	A	250,000	250,000
7	(dc)	Emergency assistance program	GPR	A	1,659,700	1,659,700
8	(dz)	Wisconsin works and other public				
9		assistance administration and				
10		benefits	GPR	A	187,269,600	160,175,400
11	(e)	Job access loans	GPR	B	450,000	450,000
12	(em)	Employment skills advancement				
13		program	GPR	A	50,000	50,000
14	(i)	Gifts and grants	PR	C	15,900	15,900
15	(ja)	Child support state operations-fees	PR	C	8,135,700	7,235,700
16	(jb)	Fees for administrative services	PR	C	483,700	485,800
17	(jL)	Job access loan repayments	PR	C	83,300	83,300
18	(k)	Child support transfers	PR-S	C	43,649,200	44,319,000
19	(kp)	Delinquent support and maintenace				
20		payments	PR-S	C	-0-	-0-

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(kx) Interagency and intra-agency				
2	programs	PR-S	C	871,700	871,800
3	(ky) Interagency and intra-agency aids	PR-S	C	20,000,000	20,000,000
4	(kz) Interagency and intra-agency local				
5	assistance	PR-S	C	-0-	-0-
6	(L) Welfare fraud and error reductions;				
7	state operations	PR	A	891,400	891,400
8	(Lm) Welfare fraud and error reduction;				
9	local assistance	PR	C	1,469,800	1,469,800
10	(m) Federal project operations	PR-F	C	4,951,000	4,951,000
11	(ma) Federal project aids	PR-F	C	330,000	330,000
12	(mb) Federal project local assistance	PR-F	C	-0-	-0-
13	(mc) Federal block grant operations	PR-F	A	35,165,100	34,723,700
14	(md) Federal block grant aids	PR-F	A	601,572,700	261,913,800
15	(mm) Reimbursements from federal				
16	government	PR-F	C	-0-	-0-
17	(n) Federal program operations	PR-F	C	40,554,900	40,372,600
18	(na) Federal program aids	PR-F	C	4,000,000	4,000,000
19	(nL) Federal program local assistance	PR-F	C	64,010,300	61,251,900
20	(pm) Food stamp employment and				
21	training program; administration	PR-F	C	403,500	403,600
22	(ps) Food stamp employment and				
23	training program; aids	PR-F	C	7,510,600	7,510,600

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(pv) Food stamps; electronic benefit				
2	transfer	PR-F	C	-0-	-0-
3	(pz) Income augmentation services				
4	receipts	PR-F	C	-0-	-0-
5	(q) Centralized support receipt and				
6	disbursement; interest	SEG	S	852,500	852,500
7	(r) Support receipt and disbursement				
8	program; payments	SEG	C	-0-	-0-
(3) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			235,707,000	208,435,800
	PROGRAM REVENUE			834,098,800	490,829,900
	FEDERAL			(758,498,100)	(415,457,200)
	OTHER			(11,079,800)	(10,181,900)
	SERVICE			(64,520,900)	(65,190,800)
	SEGREGATED FUNDS			852,500	852,500
	OTHER			(852,500)	(852,500)
	TOTAL-ALL SOURCES			1,070,658,300	700,118,200
9	(4) ADJUDICATION OF CLAIMS				
10	(a) Administration of mining damage				
11	claims	GPR	A	-0-	-0-
12	(b) Funding for mining damage claims	GPR	S	-0-	-0-
(4) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			-0-	-0-
	TOTAL-ALL SOURCES			-0-	-0-
13	(5) VOCATIONAL REHABILITATION SERVICES				
14	(a) General program operations	GPR	A	5,178,700	5,178,700
15	(bm) Purchased services for clients	GPR	A	5,354,500	5,354,500
16	(gg) Contractual services	PR	C	29,100	29,100

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01	
1	(gp) Contractual services aids	PR	C	1,662,000	1,662,000	
2	(h) Enterprises and services for blind					
3	and visually impaired	PR	C	129,000	129,000	
4	(hd) Rehabilitation teaching aids	PR	A	–0–	–0–	
5	(he) Supervised business enterprise	PR	C	150,000	150,000	
6	(i) Gifts and grants	PR	C	10,100	10,100	
7	(kg) Vocational rehabilitation services					
8	for tribes	PR-S	A	350,000	350,000	
9	(kx) Interagency and intra-agency					
10	programs	PR-S	C	222,300	215,900	
11	(ky) Interagency and intra-agency aids	PR-S	C	727,100	827,100	
12	(kz) Interagency and intra-agency local					
13	assistance	PR-S	C	–0–	–0–	
14	(m) Federal project operations	PR-F	C	462,400	462,400	
15	(ma) Federal project aids	PR-F	C	675,000	700,000	
16	(n) Federal program operations	PR-F	C	21,356,200	21,411,100	
17	(na) Federal program aids	PR-F	C	28,834,300	28,834,300	
18	(nL) Federal program local assistance	PR-F	C	–0–	–0–	
	(5) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			10,533,200	10,533,200	
	PROGRAM REVENUE			54,607,500	54,781,000	
	FEDERAL			(51,327,900)	(51,407,800)	
	OTHER			(1,980,200)	(1,980,200)	
	SERVICE			(1,299,400)	(1,393,000)	
	TOTAL-ALL SOURCES			65,140,700	65,314,200	
19	(6) WISCONSIN CONSERVATION CORPS					

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(b) General enrollee operations	GPR	B	1,225,600	1,225,600
2	(bm) General enrollee operations				
3	supplement	GPR	B	281,100	281,100
4	(c) Administrative support; general				
5	program operations	GPR	A	230,700	233,100
6	(j) General enrollee operations;				
7	sponsor contribution	PR	C	–0–	–0–
8	(ja) Administrative support; sponsor				
9	contribution	PR	C	–0–	–0–
10	(jb) Gifts and related support	PR	C	–0–	–0–
11	(k) General enrollee operations; service				
12	funds	PR-S	C	455,900	455,900
13	(kb) Administrative support; service				
14	funds	PR-S	C	46,800	44,500
15	(m) General enrollee operations; federal				
16	funds	PR-F	C	–0–	–0–
17	(n) Administrative support; federal				
18	funds	PR-F	C	–0–	–0–
19	(u) General enrollee operations;				
20	conservation fund	SEG	B	2,889,500	2,996,600
21	(w) General enrollee operations;				
22	environmental fund	SEG	B	76,700	76,700

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(x) General enrollee operations;				
2	waterfront projects; conservation				
3	fund	SEG	B	141,700	141,700
4	(y) Administrative support;				
5	conservation fund	SEG	A	466,200	470,900
(6) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			1,737,400	1,739,800
	PROGRAM REVENUE			502,700	500,400
	FEDERAL			(-0-)	(-0-)
	OTHER			(-0-)	(-0-)
	SERVICE			(502,700)	(500,400)
	SEGREGATED FUNDS			3,574,100	3,685,900
	OTHER			(3,574,100)	(3,685,900)
	TOTAL-ALL SOURCES			5,814,200	5,926,100
6	(7) GOVERNOR'S WORK-BASED LEARNING BOARD				
7	(a) General program operations	GPR	A	688,400	688,400
8	(b) Local youth apprenticeship grants	GPR	A	3,150,000	3,150,000
9	(ef) School-to-work programs for				
10	children at risk	GPR	A	300,000	300,000
11	(em) Youth apprenticeship training				
12	grants	GPR	A	-0-	-0-
13	(kb) Funds transferred from the				
14	technical college system board;				
15	school-to-work	PR-S	C	2,277,300	2,277,300
16	(kc) Transfer of public assistance funds;				
17	work-based learning programs	PR-S	C	2,969,700	6,084,500
18	(kd) Grants to tribal colleges	PR	A	600,000	600,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(kx) Interagency and intra-agency				
2	programs	PR-S	C	103,800	106,100
	(7) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			4,138,400	4,138,400
	PROGRAM REVENUE			5,950,800	9,067,900
	OTHER			(600,000)	(600,000)
	SERVICE			(5,350,800)	(8,467,900)
	TOTAL-ALL SOURCES			10,089,200	13,206,300
	20.445 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUES			260,426,000	233,157,200
	PROGRAM REVENUE			1,072,333,600	723,830,400
	FEDERAL			(920,439,900)	(570,449,700)
	OTHER			(34,621,300)	(32,302,000)
	SERVICE			(117,272,400)	(121,078,700)
	SEGREGATED FUNDS			8,126,600	8,238,400
	OTHER			(8,126,600)	(8,238,400)
	TOTAL-ALL SOURCES			1,340,886,200	965,226,000
3	20.455 Justice, department of				
4	(1) LEGAL SERVICES				
5	(a) General program operations	GPR	A	12,664,600	12,683,200
6	(b) Special counsel	GPR	S	1,100,000	1,100,000
7	(d) Legal expenses	GPR	B	931,400	931,400
8	(gh) Investigations and prosecution	PR	A	-0-	-0-
9	(gs) Delinquent obligation collection	PR	A	66,300	66,300
10	(hm) Restitution	PR	C	-0-	-0-
11	(k) Environment litigation project	PR-S	C	352,600	352,700
12	(km) Interagency and intra-agency				
13	assistance	PR-S	A	393,100	393,100
14	(kt) Telecommunications positions	PR	C	119,200	119,200

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(m) Federal aid	PR-F	C	609,500	606,000
(1) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			14,696,000	14,714,600
	PROGRAM REVENUE			1,540,700	1,537,300
	FEDERAL			(609,500)	(606,000)
	OTHER			(185,500)	(185,500)
	SERVICE			(745,700)	(745,800)
	TOTAL-ALL SOURCES			16,236,700	16,251,900
2	(2) LAW ENFORCEMENT SERVICES				
3	(a) General program operations	GPR	A	13,073,000	13,151,800
4	(am) Officer training reimbursement	GPR	S	50,000	50,000
5	(b) Investigations and operations	GPR	A	-0-	-0-
6	(c) Crime laboratory equipment	GPR	B	-0-	-0-
7	(cm) Computers for transaction				
8	information for management of				
9	enforcement system	GPR	A	1,062,800	1,062,800
10	(dg) Weed and seed and law				
11	enforcement technology	GPR	A	500,000	500,000
12	(dq) Law enforcement community				
13	policing grants	GPR	B	-0-	-0-
14	(e) Drug enforcement	GPR	A	-0-	-0-
15	(fm) Gaming law enforcement	GPR	A	226,000	226,700
16	(g) Gaming law enforcement; racing				
17	revenues	PR	A	97,600	97,800
18	(gc) Gaming law enforcement; Indian				
19	gaming	PR	A	76,800	77,200

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(gm) Criminal history searches;				
2	fingerprint identification	PR	C	2,718,900	2,719,000
3	(gr) Gun purchaser record checks	PR	C	363,500	364,300
4	(h) Terminal charges	PR	A	2,720,200	2,805,400
5	(i) Penalty assessment surcharge,				
6	receipts	PR	A	-0-	-0-
7	(j) Law enforcement training fund,				
8	local assistance	PR	A	3,635,500	3,715,500
9	(ja) Law enforcement training fund,				
10	state operations	PR	A	2,903,800	2,915,100
11	(jb) Crime laboratory equipment and				
12	supplies	PR	A	377,300	377,300
13	(k) Interagency and intra-agency				
14	assistance; investigations	PR-S	C	1,423,800	747,000
15	(kd) Drug law enforcement and crime				
16	laboratories	PR-S	A	2,031,300	2,037,300
17	(ke) Drug enforcement intelligence				
18	operations	PR-S	A	1,265,700	1,266,600
19	(kg) Interagency and intra-agency				
20	assistance; fingerprint				
21	identification	PR-S	A	-0-	-0-
22	(km) Lottery background investigations	PR-S	A	-0-	-0-
23	(kt) County-tribal programs, local				
24	assistance	PR-S	A	708,400	708,400

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01	
1	(ku) County-tribal programs, state					
2	operations	PR-S	A	50,500	50,500	
3	(Lm) Crime laboratories;					
4	deoxyribonucleic acid analysis	PR	C	899,900	1,280,800	
5	(m) Federal aid, state operations	PR-F	C	655,700	655,700	
6	(ma) Federal aid, drug enforcement	PR-F	C	-0-	-0-	
7	(n) Federal aid, local assistance	PR-F	C	-0-	-0-	
8	(r) Gaming law enforcement; lottery					
9	revenues	SEG	A	-0-	-0-	
	(2) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			14,911,800	14,991,300	
	PROGRAM REVENUE			19,928,900	19,817,900	
	FEDERAL			(655,700)	(655,700)	
	OTHER			(13,793,500)	(14,352,400)	
	SERVICE			(5,479,700)	(4,809,800)	
	SEGREGATED FUNDS			-0-	-0-	
	OTHER			(-0-)	(-0-)	
	TOTAL-ALL SOURCES			34,840,700	34,809,200	
10	(3) ADMINISTRATIVE SERVICES					
11	(a) General program operations	GPR	A	4,080,700	4,080,700	
12	(g) Gifts, grants and proceeds	PR	C	89,900	89,900	
13	(k) Interagency and intra-agency					
14	assistance	PR-S	A	-0-	-0-	
15	(m) Federal aid, state operations	PR-F	C	-0-	-0-	
16	(pz) Indirect cost reimbursements	PR-F	C	80,600	80,600	
	(3) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			4,080,700	4,080,700	
	PROGRAM REVENUE			170,500	170,500	
	FEDERAL			(80,600)	(80,600)	
	OTHER			(89,900)	(89,900)	

STATUTE, AGENCY AND PURPOSE			SOURCE	TYPE	1999-00	2000-01
SERVICE TOTAL-ALL SOURCES					(-0-) 4,251,200	(-0-) 4,251,200
1	(5)	VICTIMS AND WITNESSES				
2	(a)	General program operations	GPR	A	866,000	869,900
3	(b)	Awards for victims of crimes	GPR	A	1,324,200	1,324,200
4	(c)	Reimbursement for victim and				
5		witness services	GPR	A	1,497,100	1,497,100
6	(g)	Crime victim and witness				
7		assistance surcharge, general				
8		services	PR	A	2,080,900	2,152,300
9	(gc)	Crime victim and witness				
10		surcharge, sexual assault victim				
11		services	PR	C	1,500,000	2,000,000
12	(h)	Crime victim compensation services	PR	A	38,900	38,900
13	(i)	Victim compensation, inmate				
14		payments	PR	C	-0-	-0-
15	(k)	Interagency and intra-agency				
16		assistance; reimbursement to				
17		counties	PR-S	A	961,700	961,700
18	(kj)	Victim payments, victim surcharge	PR-S	A	488,800	488,800
19	(kk)	Reimbursement to counties for				
20		providing victim and witness				
21		services	PR-S	C	-0-	-0-
22	(kp)	Reimbursement to counties for				
23		victim-witness services	PR-S	A	660,800	773,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(m) Federal aid; victim compensation	PR-F	C	643,900	643,900
2	(ma) Federal aid, state operations	PR-F	C	92,700	123,600
3	(mh) Federal aid; victim assistance	PR-F	C	4,642,100	4,020,700
(5) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			3,687,300	3,691,200
	PROGRAM REVENUE			11,109,800	11,202,900
	FEDERAL			(5,378,700)	(4,788,200)
	OTHER			(3,619,800)	(4,191,200)
	SERVICE			(2,111,300)	(2,223,500)
	TOTAL-ALL SOURCES			14,797,100	14,894,100
20.455 DEPARTMENT TOTALS					
	GENERAL PURPOSE REVENUES			37,375,800	37,477,800
	PROGRAM REVENUE			32,749,900	32,728,600
	FEDERAL			(6,724,500)	(6,130,500)
	OTHER			(17,688,700)	(18,819,000)
	SERVICE			(8,336,700)	(7,779,100)
	SEGREGATED FUNDS			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			70,125,700	70,206,400
4	20.465 Military affairs, department of				
5	(1) NATIONAL GUARD OPERATIONS				
6	(a) General program operations	GPR	A	4,689,600	4,694,800
7	(b) Repair and maintenance	GPR	A	650,400	650,400
8	(c) Public emergencies	GPR	S	48,500	48,500
9	(d) Principal repayment and interest	GPR	S	3,092,900	2,977,100
10	(e) State service flags	GPR	A	400	400
11	(f) Energy costs	GPR	A	1,518,800	1,518,800
12	(g) Military property	PR	A	396,600	396,600
13	(h) Intergovernmental services	PR	A	194,900	194,900
14	(k) Armory store operations	PR-S	A	237,600	237,600

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(km) Agency services	PR-S	A	68,300	68,300
2	(Li) Gifts and grants	PR	C	-0-	-0-
3	(m) Federal aid	PR-F	C	16,474,500	16,474,500
4	(pz) Indirect cost reimbursements	PR-F	C	454,200	454,200
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			10,000,600	9,890,000
	PROGRAM REVENUE			17,826,100	17,826,100
	FEDERAL			(16,928,700)	(16,928,700)
	OTHER			(591,500)	(591,500)
	SERVICE			(305,900)	(305,900)
	TOTAL-ALL SOURCES			27,826,700	27,716,100
5	(2) GUARD MEMBERS' BENEFITS				
6	(a) Tuition grants	GPR	B	3,589,400	3,589,400
	(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			3,589,400	3,589,400
	TOTAL-ALL SOURCES			3,589,400	3,589,400
7	(3) EMERGENCY MANAGEMENT SERVICES				
8	(a) General program operations	GPR	A	667,000	557,000
9	(c) Helicopter support services	GPR	A	150,000	150,000
10	(dd) Regional emergency response				
11	teams	GPR	A	1,577,400	1,400,000
12	(dh) Hazardous substance emergency				
13	response; administration	GPR	A	91,100	91,100
14	(dp) Emergency response equipment	GPR	A	568,000	568,000
15	(dr) Emergency response supplement	GPR	C	-0-	-0-
16	(dt) Emergency response training	GPR	B	64,900	64,900
17	(e) Disaster recovery aid	GPR	S	1,035,100	888,100

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(f) Civil air patrol aids	GPR	A	19,000	19,000
2	(g) Program services	PR	A	1,050,700	1,043,700
3	(i) Emergency planning and reporting;				
4	administration	PR	A	744,300	765,200
5	(j) Division of emergency				
6	management; gifts and grants	PR	C	-0-	-0-
7	(jm) Division of emergency				
8	management; emergency planning				
9	grants	PR	C	834,700	834,700
10	(jt) Regional emergency response				
11	reimbursement	PR	C	-0-	-0-
12	(m) Federal aid, state operations	PR-F	C	1,300,600	1,269,800
13	(n) Federal aid, local assistance	PR-F	C	7,387,000	7,387,000
14	(o) Federal aid, individuals and				
15	organizations	PR-F	C	1,348,600	1,348,600
16	(r) Division of emergency				
17	management; petroleum inspection				
18	fund	SEG	A	465,700	465,700
19	(t) Emergency response training –				
20	environmental fund	SEG	B	1,700	10,500

(3) PROGRAM TOTALS

GENERAL PURPOSE REVENUES	4,172,500	3,738,100
PROGRAM REVENUE	12,665,900	12,649,000
FEDERAL	(10,036,200)	(10,005,400)
OTHER	(2,629,700)	(2,643,600)
SEGREGATED FUNDS	467,400	476,200
OTHER	(467,400)	(476,200)
TOTAL-ALL SOURCES	17,305,800	16,863,300

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(4) NATIONAL GUARD YOUTH PROGRAMS				
2	(b) Badger challenge program	GPR	A	299,400	249,500
3	(c) Youth challenge program	GPR	A	843,700	983,700
4	(g) Program fees	PR	C	–0–	–0–
5	(h) Gifts, grants and contributions	PR	C	–0–	–0–
6	(k) Interagency assistance; badger				
7	challenge program	PR-S	C	33,300	83,200
8	(m) Federal aid – youth programs	PR-F	C	1,971,000	1,831,000
	(4) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			1,143,100	1,233,200
	PROGRAM REVENUE			2,004,300	1,914,200
	FEDERAL			(1,971,000)	(1,831,000)
	OTHER			(–0–)	(–0–)
	SERVICE			(33,300)	(83,200)
	TOTAL-ALL SOURCES			3,147,400	3,147,400
	20.465 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUES			18,905,600	18,450,700
	PROGRAM REVENUE			32,496,300	32,389,300
	FEDERAL			(28,935,900)	(28,765,100)
	OTHER			(3,221,200)	(3,235,100)
	SERVICE			(339,200)	(389,100)
	SEGREGATED FUNDS			467,400	476,200
	OTHER			(467,400)	(476,200)
	TOTAL-ALL SOURCES			51,869,300	51,316,200
9	20.475 District attorneys				
10	(1) DISTRICT ATTORNEYS				
11	(d) Salaries and fringe benefits	GPR	A	33,451,500	33,744,700
12	(f) Firearm prosecution costs; firearm				
13	law media campaign	GPR	A	153,300	124,400
14	(h) Gifts and grants	PR	C	1,163,000	1,163,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(i) Other employes	PR	A	169,600	174,700
2	(k) Interagency and intra-agency				
3	assistance	PR-S	C	96,400	-0-
4	(m) Federal aid	PR-F	C	-0-	-0-
20.475 DEPARTMENT TOTALS					
	GENERAL PURPOSE REVENUES			33,604,800	33,869,100
	PROGRAM REVENUE			1,429,000	1,337,700
	FEDERAL			(-0-)	(-0-)
	OTHER			(1,332,600)	(1,337,700)
	SERVICE			(96,400)	(-0-)
	TOTAL-ALL SOURCES			35,033,800	35,206,800
5	20.485 Veterans affairs, department of				
6	(1) HOMES FOR VETERANS				
7	(b) General fund supplement to				
8	institutional operations	GPR	B	-0-	-0-
9	(d) Cemetery maintenance and				
10	beautification	GPR	A	24,900	24,900
11	(e) Lease rental payments	GPR	S	-0-	-0-
12	(f) Principal repayment and interest	GPR	S	1,551,000	1,526,000
13	(g) Home exchange	PR	A	236,900	248,800
14	(gd) Veterans home cemetery operations	PR	C	4,500	4,500
15	(gk) Institutional operations	PR	A	36,170,600	37,277,100
16	(go) Self-amortizing housing facilities;				
17	principal repayment and interest	PR	S	-0-	56,700
18	(h) Gifts and bequests	PR	C	214,700	214,700
19	(hm) Gifts and grants	PR	C	-0-	-0-

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(i) State-owned housing maintenance	PR	A	65,700	65,700
2	(j) Geriatric program receipts	PR	C	112,400	112,400
3	(m) Federal aid; care at veterans home	PR-F	C	-0-	-0-
4	(mj) Federal aid; geriatric unit	PR-F	C	-0-	-0-
5	(mn) Federal projects	PR-F	C	12,500	12,500
6	(t) Veterans home member accounts	SEG	C	-0-	-0-
7	(u) Rentals; improvements; equipment;				
8	land acquisition	SEG	A	-0-	-0-
(1) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			1,575,900	1,550,900
	PROGRAM REVENUE			36,817,300	37,992,400
	FEDERAL			(12,500)	(12,500)
	OTHER			(36,804,800)	(37,979,900)
	SEGREGATED FUNDS			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			38,393,200	39,543,300
9	(2) LOANS AND AIDS TO VETERANS				
10	(b) Wisconsin veterans museum space				
11	rental	GPR	A	411,700	471,100
12	(c) Operation of Wisconsin veterans				
13	museum	GPR	A	765,000	608,300
14	(d) Veterans memorials at The				
15	Highground	GPR	C	-0-	-0-
16	(db) General fund supplement to				
17	veterans trust fund	GPR	A	-0-	-0-
18	(dm) World War II memorial	GPR	C	166,100	-0-
19	(e) Veterans memorial grants	GPR	C	-0-	-0-

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(em) Payments related to The				
2	Highground	GPR	C	–0–	–0–
3	(g) Consumer reporting agency fees	PR	C	–0–	–0–
4	(gd) Gifts	PR	C	–0–	–0–
5	(kg) American Indian services				
6	coordinator	PR-S	A	51,900	58,000
7	(km) American Indian grants	PR-S	A	27,500	27,500
8	(m) Federal aid projects	PR-F	C	187,000	183,000
9	(mn) Federal projects; museum				
10	acquisitions and operations	PR-F	C	–0–	–0–
11	(rm) Veterans assistance program	SEG	B	1,365,700	1,454,300
12	(rp) Veterans assistance program				
13	receipts	SEG	A	80,000	80,000
14	(tf) Veterans' tuition and fee				
15	reimbursement program	SEG	A	1,477,500	1,551,400
16	(th) Correspondence courses and				
17	part-time classroom study	SEG	A	395,900	415,600
18	(tj) Retraining grant program	SEG	A	288,000	288,000
19	(tm) Facilities	SEG	C	–0–	–0–
20	(u) Administration of loans and aids to				
21	veterans	SEG	A	3,344,200	3,027,300
22	(v) Wisconsin veterans museum sales				
23	receipts	SEG	C	154,200	154,200
24	(vg) Health care aid grants	SEG	A	1,200,000	1,200,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(vm) Subsistence grants	SEG	A	276,000	300,600
2	(vo) Veterans of World War I	SEG	A	2,500	2,500
3	(vw) Payments to veterans organizations				
4	for claims service	SEG	A	75,000	75,000
5	(vx) County grants	SEG	A	299,200	296,000
6	(w) Home for needy veterans	SEG	C	10,000	10,000
7	(wd) Operation of Wisconsin veterans				
8	museum	SEG	A	292,500	300,000
9	(x) Federal per diem payments	SEG-F	A	304,900	295,000
10	(yg) Acquisition of 1981 revenue bond				
11	mortgages	SEG	S	-0-	-0-
12	(yn) Veterans trust fund loans and				
13	expenses	SEG	B	15,450,000	15,450,000
14	(yo) Debt payment	SEG	S	177,000	1,263,300
15	(z) Gifts	SEG	C	-0-	-0-
16	(zm) Museum gifts and bequests	SEG	C	-0-	-0-
(2) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			1,342,800	1,079,400
	PROGRAM REVENUE			266,400	268,500
	FEDERAL			(187,000)	(183,000)
	OTHER			(-0-)	(-0-)
	SERVICE			(79,400)	(85,500)
	SEGREGATED FUNDS			25,192,600	26,163,200
	FEDERAL			(304,900)	(295,000)
	OTHER			(24,887,700)	(25,868,200)
	TOTAL-ALL SOURCES			26,801,800	27,511,100
17	(3) SELF-AMORTIZING MORTGAGE LOANS FOR VETERANS				
18	(b) Self insurance	GPR	S	-0-	-0-

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(e) General program deficiency	GPR	S	–0–	–0–
2	(q) Foreclosure loss payments	SEG	C	801,000	801,000
3	(r) Funded reserves	SEG	C	50,000	50,000
4	(rm) Other reserves	SEG	C	–0–	–0–
5	(s) General program operations	SEG	A	4,526,400	4,218,900
6	(sm) County grants	SEG	A	448,800	444,000
7	(t) Debt service	SEG	C	71,080,000	76,633,900
8	(v) Revenue obligation repayment	SEG	C	–0–	–0–
(3) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			–0–	–0–
	SEGREGATED FUNDS			76,906,200	82,147,800
	OTHER			(76,906,200)	(82,147,800)
	TOTAL-ALL SOURCES			76,906,200	82,147,800
9	(4) VETERANS MEMORIAL CEMETERIES				
10	(g) Cemetery operations	PR	A	84,400	87,700
11	(h) Gifts, grants and bequests	PR	C	–0–	–0–
12	(m) Federal aid; cemetery operations				
13	and burials	PR-F	C	26,700	44,900
14	(q) Cemetery administration and				
15	maintenance	SEG	A	699,600	553,300
16	(qm) Repayment of principal and				
17	interest	SEG	S	10,800	10,700
18	(r) Cemetery energy costs	SEG	A	11,800	21,800
(4) PROGRAM TOTALS					
	PROGRAM REVENUE			111,100	132,600
	FEDERAL			(26,700)	(44,900)
	OTHER			(84,400)	(87,700)

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
	SEGREGATED FUNDS			722,200	585,800
	OTHER			(722,200)	(585,800)
	TOTAL-ALL SOURCES			833,300	718,400
1	(5) EDUCATIONAL APPROVAL BOARD				
2	(g) Proprietary school programs	PR-S	A	366,300	368,300
3	(m) Federal aid	PR-F	C	263,000	265,000
	(5) PROGRAM TOTALS				
	PROGRAM REVENUE			629,300	633,300
	FEDERAL			(263,000)	(265,000)
	SERVICE			(366,300)	(368,300)
	TOTAL-ALL SOURCES			629,300	633,300
	20.485 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUES			2,918,700	2,630,300
	PROGRAM REVENUE			37,824,100	39,026,800
	FEDERAL			(489,200)	(505,400)
	OTHER			(36,889,200)	(38,067,600)
	SERVICE			(445,700)	(453,800)
	SEGREGATED FUNDS			102,821,000	108,896,800
	FEDERAL			(304,900)	(295,000)
	OTHER			(102,516,100)	(108,601,800)
	TOTAL-ALL SOURCES			143,563,800	150,553,900
4	20.490 Wisconsin housing and economic development authority				
5	(1) FACILITATION OF CONSTRUCTION				
6	(a) Capital reserve fund deficiency	GPR	C	-0-	-0-
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			-0-	-0-
	TOTAL-ALL SOURCES			-0-	-0-
7	(2) HOUSING REHABILITATION LOAN PROGRAM				
8	(a) General program operations	GPR	C	-0-	-0-
9	(q) Loan loss reserve fund	SEG	C	-0-	-0-
	(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			-0-	-0-
	SEGREGATED FUNDS			-0-	-0-

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			-0-	-0-
1	(4) DISADVANTAGED BUSINESS MOBILIZATION ASSISTANCE				
2	(g) Disadvantaged business				
3	mobilization loan guarantee	PR	C	-0-	-0-
	(4) PROGRAM TOTALS				
	PROGRAM REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			-0-	-0-
4	(5) WISCONSIN DEVELOPMENT LOAN GUARANTEES				
5	(a) Wisconsin development reserve				
6	fund	GPR	C	-0-	-0-
7	(q) Recycling fund transfer to				
8	Wisconsin development reserve				
9	fund	SEG	C	-0-	-0-
10	(r) Agrichemical management fund				
11	transfer to Wisconsin development				
12	reserve fd.	SEG	C	-0-	-0-
13	(s) Petroleum inspection fund transfer				
14	to WDRF	SEG	A	-0-	-0-
	(5) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			-0-	-0-
	SEGREGATED FUNDS			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			-0-	-0-
15	(6) WISCONSIN JOB TRAINING LOAN GUARANTEES				
16	(a) Wisconsin job training reserve fund	GPR	S	-0-	-0-

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(k) Department of commerce				
2	appropriation transfer to Wisconsin				
3	job training	PR-S	C	-0-	-0-
	(6) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			-0-	-0-
	PROGRAM REVENUE			-0-	-0-
	SERVICE			(-0-)	(-0-)
	TOTAL-ALL SOURCES			-0-	-0-
	20.490 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUES			-0-	-0-
	PROGRAM REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	SERVICE			(-0-)	(-0-)
	SEGREGATED FUNDS			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			-0-	-0-
4	20.495 University of Wisconsin hospitals and clinics board				
5	(1) CONTRACTUAL SERVICES				
6	(g) General program operations	PR	C	61,962,900	64,427,400
	20.495 DEPARTMENT TOTALS				
	PROGRAM REVENUE			61,962,900	64,427,400
	OTHER			(61,962,900)	(64,427,400)
	TOTAL-ALL SOURCES			61,962,900	64,427,400
	Human Relations and Resources				
	FUNCTIONAL AREA TOTALS				
	GENERAL PURPOSE REVENUES			2,727,949,700	2,780,770,400
	PROGRAM REVENUE			3,953,725,800	3,731,929,800
	FEDERAL			(3,150,669,200)	(2,912,888,000)
	OTHER			(435,374,200)	(451,539,000)
	SERVICE			(367,682,400)	(367,502,800)
	SEGREGATED FUNDS			165,241,500	192,445,900
	FEDERAL			(304,900)	(295,000)
	OTHER			(164,936,600)	(192,150,900)
	SERVICE			(-0-)	(-0-)
	LOCAL			(-0-)	(-0-)
	TOTAL-ALL SOURCES			6,846,917,000	6,705,146,100

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
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General Executive Functions

1	20.505 Administration, department of				
2	(1) SUPERVISION AND MANAGEMENT; LAND INFORMATION BOARD				
3	(a) General program operations	GPR	A	9,345,400	9,095,400
4	(b) Midwest interstate low-level				
5	radioactive waste compact; loan				
6	from gen. fund	GPR	C	-0-	-0-
7	(cm) Comprehensive planning grants	GPR	A	-0-	1,500,000
8	(cn) Comprehensive planning;				
9	administrative support	GPR	A	12,500	50,000
10	(e) Census education assistance	GPR	B	600,000	-0-
11	(f) Badger state games assistance	GPR	A	50,000	50,000
12	(fo) Federal resource acquisition				
13	support grants	GPR	A	100,000	-0-
14	(g) Midwest interstate low-level				
15	radioactive waste compact;				
16	membership & costs	PR	A	60,700	60,700
17	(ge) High-voltage transmission line				
18	annual impact fee distributions	PR	C	-0-	-0-
19	(gs) High-voltage transmission line				
20	environmental impact fee				
21	distributions	PR	C	-0-	-0-
22	(ie) Land information board; general				
23	program operations	PR	A	384,400	384,400

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(ig) Land information board; technical				
2	assistance and education	PR	A	-0-	-0-
3	(ij) Land information board; aids to				
4	counties	PR	C	1,384,000	1,384,000
5	(ik) Land information board; soil				
6	surveys and mapping	PR	A	415,000	415,000
7	(im) Services to nonstate governmental				
8	units	PR	A	1,339,800	1,339,800
9	(is) Information technology processing				
10	svcs to nonstate entities & state				
11	schools	PR	C	-0-	-0-
12	(iu) Plat review	PR	C	347,900	347,900
13	(j) Gifts and donations	PR	C	-0-	-0-
14	(ja) Justice information systems	PR	A	3,919,700	1,300,000
15	(ka) Materials and services to state				
16	agencies and certain districts	PR-S	A	5,097,800	5,097,800
17	(kb) Transportation services	PR-S	A	15,679,400	16,062,200
18	(kc) Capital planning and building				
19	construction services	PR-S	A	10,457,400	10,515,600
20	(kd) Printing, document sales, mail				
21	distribution and record services	PR-S	A	18,471,400	19,001,200
22	(ke) Telecommunications and data				
23	processing services	PR-S	A	37,170,000	37,170,000
24	(kj) Financial services	PR-S	A	9,994,700	9,228,500

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(kL) Information technology processing				
2	services to agencies	PR-S	C	49,158,200	49,158,200
3	(kp) Interagency assistance; justice				
4	information systems	PR-S	A	729,800	2,024,100
5	(kq) Justice information systems				
6	development, operation and				
7	maintenance	PR-S	A	-0-	1,200,000
8	(kr) Information technology				
9	development and management				
10	services	PR-S	A	-0-	-0-
11	(ks) Wisconsin land council; state				
12	agency support	PR-S	C	311,400	311,400
13	(kt) Land information board; soil				
14	surveys and mapping; state agency				
15	support	PR-S	C	265,200	265,200
16	(ku) Management assistance grants to				
17	counties	PR-S	A	-0-	-0-
18	(kw) Grant to heritage military music				
19	foundation	PR-S	A	85,300	-0-
20	(ma) Federal grants and contracts	PR-F	C	43,100	43,100
21	(mb) Federal energy grants and				
22	contracts	PR-F	C	981,300	981,300
23	(mc) Coastal zone management	PR-F	C	1,143,000	1,143,000
24	(md) Oil overcharge restitution funds	PR-F	C	6,887,100	6,887,100

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(n) Federal aid; local assistance	PR-F	C	-0-	-0-
2	(pz) Indirect cost reimbursements	PR-F	C	161,400	161,400
3	(r) VendorNet fund administration	SEG	A	90,200	90,200
4	(s) Wisconsin sesquicentennial				
5	commission; payment of obligations	SEG	C	-0-	-0-
6	(v) General program operations —				
7	environmental improvement				
8	programs; state funds	SEG	A	753,300	753,300
9	(x) General program operations —				
10	clean water fund program; federal				
11	funds	SEG-F	C	-0-	-0-
12	(y) General program operations — safe				
13	drinking water loan program;				
14	federal funds	SEG-F	C	-0-	-0-
15	(z) Transportation planning grants to				
16	local governmental units	SEG-S	A	1,000,000	1,000,000
(1) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			10,107,900	10,695,400
	PROGRAM REVENUE			164,488,000	164,481,900
	FEDERAL			(9,215,900)	(9,215,900)
	OTHER			(7,851,500)	(5,231,800)
	SERVICE			(147,420,600)	(150,034,200)
	SEGREGATED FUNDS			1,843,500	1,843,500
	FEDERAL			(-0-)	(-0-)
	OTHER			(843,500)	(843,500)
	SERVICE			(1,000,000)	(1,000,000)
	TOTAL-ALL SOURCES			176,439,400	177,020,800

17 (2) RISK MANAGEMENT

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(a) General fund supplement — risk				
2	management claims	GPR	S	–0–	–0–
3	(k) Risk management costs	PR-S	C	19,900,000	20,400,000
4	(ki) Risk management administration	PR-S	A	4,627,500	4,627,500
	(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			–0–	–0–
	PROGRAM REVENUE			24,527,500	25,027,500
	SERVICE			(24,527,500)	(25,027,500)
	TOTAL-ALL SOURCES			24,527,500	25,027,500
5	(3) COMMITTEES AND INTERSTATE BODIES				
6	(a) General program operations	GPR	A	359,800	359,800
7	(b) Women's council operations	GPR	A	87,300	87,300
8	(c) Criminal penalties study committee	GPR	B	–0–	–0–
9	(g) Gifts and grants	PR	C	–0–	–0–
10	(h) Program fees	PR	A	6,100	6,100
11	(m) Federal aid	PR-F	C	–0–	–0–
	(3) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			447,100	447,100
	PROGRAM REVENUE			6,100	6,100
	FEDERAL			(–0–)	(–0–)
	OTHER			(6,100)	(6,100)
	TOTAL-ALL SOURCES			453,200	453,200
12	(4) ATTACHED DIVISIONS, BOARDS, COUNCILS AND COMMISSIONS				
13	(a) Adjudication of tax appeals	GPR	A	586,300	593,000
14	(b) Adjudication of equalization				
15	appeals	GPR	S	–0–	–0–

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(c) Claims board; general program				
2	operations	GPR	A	46,600	46,600
3	(d) Claims awards	GPR	S	25,000	25,000
4	(e) Technical college capacity building				
5	program	GPR	A	–0–	5,000,000
6	(f) Hearings and appeals operations	GPR	A	2,017,500	2,037,700
7	(fm) National community service board;				
8	Wisconsin promise challenge grants	GPR	C	–0–	–0–
9	(gm) Gifts and grants	PR	C	–0–	–0–
10	(h) Program services	PR	A	26,000	26,000
11	(is) Relay service	PR	A	5,007,200	5,007,200
12	(j) National and community service				
13	board; gifts and grants	PR	C	–0–	–0–
14	(k) Waste facility siting board; general				
15	program operations	PR-S	A	121,600	121,600
16	(ka) State use board — general program				
17	operations	PR-S	A	140,500	140,500
18	(kp) Hearings and appeals fees	PR-S	A	1,923,500	1,937,200
19	(o) National and community service				
20	board; federal aid for				
21	administration	PR-F	A	194,600	194,600
22	(p) National and community service				
23	board; federal aid for grants	PR-F	C	2,074,500	2,074,500

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(r) State capitol and executive				
2	residence board; gifts and grants	SEG	C	-0-	-0-
	(4) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			2,675,400	7,702,300
	PROGRAM REVENUE			9,487,900	9,501,600
	FEDERAL			(2,269,100)	(2,269,100)
	OTHER			(5,033,200)	(5,033,200)
	SERVICE			(2,185,600)	(2,199,300)
	SEGREGATED FUNDS			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			12,163,300	17,203,900
3	(5) FACILITIES MANAGEMENT				
4	(c) Principal repayment and interest;				
5	Black Point Estate	GPR	S	21,700	135,100
6	(g) Principal repayment, interest and				
7	rebates; parking	PR-S	S	1,251,800	1,255,200
8	(h) Lease payments for educational				
9	broadcasting facilities	PR	C	-0-	-0-
10	(i) Emergency weather warning				
11	system operation	PR	A	-0-	-0-
12	(ka) Facility operations and				
13	maintenance; police and protection				
14	functions	PR-S	A	29,894,200	30,153,000
15	(kb) Parking	PR	A	706,900	714,900
16	(kc) Principal repayment, interest and				
17	rebates	PR-S	C	9,509,600	9,122,500
18	(q) Energy efficiency	SEG	S	-0-	-0-
	(5) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			21,700	135,100

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	1999-00	2000-01
	PROGRAM REVENUE			41,362,500	41,245,600
	OTHER SERVICE			(706,900)	(714,900)
	SEGREGATED FUNDS			(40,655,600)	(40,530,700)
	OTHER			-0-	-0-
	TOTAL-ALL SOURCES			(-0-)	(-0-)
				41,384,200	41,380,700
1	(6) OFFICE OF JUSTICE ASSISTANCE				
2	(a) General program operations	GPR	A	330,300	334,200
3	(c) Law enforcement officer				
4	supplement grants	GPR	A	1,000,000	1,000,000
5	(i) Gifts and grants	PR	C	-0-	-0-
6	(j) Penalty assessment surcharge				
7	receipts	PR	C	-0-	-0-
8	(k) Anti-drug enforcement program —				
9	administration	PR-S	A	135,600	135,600
10	(kp) Anti-drug enforcement program,				
11	penalty assessment – local	PR-S	A	1,183,100	1,184,200
12	(kq) County law enforcement services	PR	A	250,000	250,000
13	(ks) Tribal law enforcement assistance	PR-S	A	650,000	1,050,000
14	(kt) Anti-drug enforcement program,				
15	penalty assessment – state	PR-S	A	996,900	1,294,200
16	(m) Federal aid, planning and				
17	administration, state operations	PR-F	C	350,700	352,800
18	(o) Federal aid, criminal justice				
19	improvement projects, state				
20	operations	PR-F	C	4,037,200	2,608,700

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(p) Federal aid, criminal justice				
2	improvement projects, local				
3	assistance	PR-F	C	3,357,100	2,834,600
4	(pa) Federal aid, criminal justice				
5	improvement projects, aid to				
6	organizations	PR-F	C	1,429,500	1,458,500
7	(pb) Federal aid, anti-drug enforcement				
8	program, aids and local assistance	PR-F	C	5,742,500	5,741,400
9	(pc) Federal aid, anti-drug enforcement				
10	program, state operations	PR-F	C	3,737,000	4,630,700
	(6) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			1,330,300	1,334,200
	PROGRAM REVENUE			21,869,600	21,540,700
	FEDERAL			(18,654,000)	(17,626,700)
	OTHER			(250,000)	(250,000)
	SERVICE			(2,965,600)	(3,664,000)
	TOTAL-ALL SOURCES			23,199,900	22,874,900
11	(7) HOUSING ASSISTANCE				
12	(a) General program operations	GPR	A	922,900	922,900
13	(b) Housing grants and loans	GPR	B	2,800,300	2,800,300
14	(c) Payments to designated agents	GPR	A	-0-	-0-
15	(d) Grants to local housing				
16	organizations	GPR	B	500,000	500,000
17	(dm) Transitional housing grants	GPR	A	375,000	375,000
18	(fm) Shelter for homeless and				
19	transitional housing	GPR	A	1,131,000	1,131,000
20	(g) Gifts and grants	PR	C	-0-	-0-

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(gm) Funding for the homeless	PR	C	–0–	–0–
2	(h) Interest on real estate trust				
3	accounts	PR	C	–0–	–0–
4	(jf) Mobile home parks, dealers and				
5	salespersons	PR	A	142,300	–0–
6	(k) Sale of materials or services	PR-S	C	–0–	–0–
7	(kg) Housing program services	PR-S	C	6,702,600	6,702,600
8	(km) Weatherization assistance	PR-S	C	10,000,000	10,000,000
9	(m) Federal aid; state operations	PR-F	C	4,111,500	4,111,500
10	(n) Federal aid; local assistance	PR-F	C	1,777,000	1,777,000
11	(o) Federal aid; individuals and				
12	organizations	PR-F	C	72,269,300	72,269,300
(7) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			5,729,200	5,729,200
	PROGRAM REVENUE			95,002,700	94,860,400
	FEDERAL			(78,157,800)	(78,157,800)
	OTHER			(142,300)	(–0–)
	SERVICE			(16,702,600)	(16,702,600)
	TOTAL-ALL SOURCES			100,731,900	100,589,600
13	(8) DIVISION OF GAMING				
14	(g) General program operations; racing	PR	A	2,141,200	2,141,200
15	(h) General program operations; Indian				
16	gaming	PR	A	2,080,200	1,320,700
17	(hm) Indian gaming receipts	PR	C	–0–	–0–
18	(i) County fair association grants	PR	C	50,000	50,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(j) General program operations; raffles				
2	and crane games	PR	A	172,000	172,000
3	(jm) General program operations; bingo	PR	A	247,400	247,400
(8) PROGRAM TOTALS					
	PROGRAM REVENUE			4,690,800	3,931,300
	OTHER			(4,690,800)	(3,931,300)
	TOTAL-ALL SOURCES			4,690,800	3,931,300
4	(0) UTILITY PUBLIC BENEFITS				
5	(q) General program operations	SEG	A	-0-	-0-
6	(r) Low-income assistance grants	SEG	S	10,250,000	20,500,000
7	(s) Energy conservation and efficiency				
8	and renewable resource grants	SEG	S	8,250,000	16,500,000
(0) PROGRAM TOTALS					
	SEGREGATED FUNDS			18,500,000	37,000,000
	OTHER			(18,500,000)	(37,000,000)
	TOTAL-ALL SOURCES			18,500,000	37,000,000
9	(1) AIR QUALITY IMPROVEMENT PROGRAM				
10	(r) Air quality improvement grants	SEG	S	-0-	-0-
(1) PROGRAM TOTALS					
	SEGREGATED FUNDS			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			-0-	-0-
20.505 DEPARTMENT TOTALS					
	GENERAL PURPOSE REVENUES			20,311,600	26,043,300
	PROGRAM REVENUE			361,435,100	360,595,100
	FEDERAL			(108,296,800)	(107,269,500)
	OTHER			(18,680,800)	(15,167,300)
	SERVICE			(234,457,500)	(238,158,300)
	SEGREGATED FUNDS			20,343,500	38,843,500
	FEDERAL			(-0-)	(-0-)
	OTHER			(19,343,500)	(37,843,500)
	SERVICE			(1,000,000)	(1,000,000)
	TOTAL-ALL SOURCES			402,090,200	425,481,900

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	20.507 Board of commissioners of public lands				
2	(1) TRUST LANDS AND INVESTMENTS				
3	(h) Trust lands and investments –				
4	general program operations	PR-S	A	1,251,100	1,306,800
5	(j) Payments to American Indian				
6	tribes or bands for raised sunken				
7	logs	PR	C	–0–	–0–
8	(k) Trust lands and investments –				
9	interagency and intra-agency				
10	assistance	PR-S	A	–0–	–0–
11	(mg) Federal aid — flood control	PR-F	C	52,700	52,700
	20.507 DEPARTMENT TOTALS				
	PROGRAM REVENUE			1,303,800	1,359,500
	FEDERAL			(52,700)	(52,700)
	OTHER			(–0–)	(–0–)
	SERVICE			(1,251,100)	(1,306,800)
	TOTAL-ALL SOURCES			1,303,800	1,359,500
12	20.510 Elections board				
13	(1) ADMINISTRATION OF ELECTION AND CAMPAIGN LAWS				
14	(a) General program operations;				
15	general purpose revenue	GPR	B	879,500	868,400
16	(g) Recount fees	PR	C	–0–	–0–
17	(h) Materials and services	PR	A	15,000	15,000
18	(i) General program operations;				
19	program revenue	PR	A	27,200	27,200
20	(j) Electronic filing software	PR	C	–0–	–0–

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(q) Wisconsin election campaign fund	SEG	C	100,000	700,000
20.510 DEPARTMENT TOTALS					
	GENERAL PURPOSE REVENUES			879,500	868,400
	PROGRAM REVENUE			42,200	42,200
	OTHER			(42,200)	(42,200)
	SEGREGATED FUNDS			100,000	700,000
	OTHER			(100,000)	(700,000)
	TOTAL-ALL SOURCES			1,021,700	1,610,600
2	20.512 Employment relations, department of				
3	(1) EMPLOYMENT RELATIONS				
4	(a) General program operations	GPR	A	5,713,000	5,687,400
5	(i) Services to nonstate governmental				
6	units	PR	A	161,400	161,400
7	(j) Gifts and donations	PR	C	-0-	-0-
8	(jm) Employee development and training				
9	services	PR	A	296,600	303,700
10	(k) Funds received from other state				
11	agencies	PR-S	C	16,000	16,000
12	(ka) Publications	PR-S	A	169,300	183,300
13	(km) Collective bargaining grievance				
14	arbitrations	PR-S	A	85,200	85,200
15	(m) Federal grants and contracts	PR-F	C	-0-	-0-
16	(pz) Indirect cost reimbursements	PR-F	C	-0-	-0-
(1) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			5,713,000	5,687,400
	PROGRAM REVENUE			728,500	749,600
	FEDERAL			(-0-)	(-0-)
	OTHER			(458,000)	(465,100)

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	1999-00	2000-01
SERVICE				(270,500)	(284,500)
TOTAL-ALL SOURCES				6,441,500	6,437,000
1	(2) AFFIRMATIVE ACTION COUNCIL				
2	(a) General program operations	GPR	A	-0-	-0-
3	(j) Gifts and donations	PR	C	-0-	-0-
4	(m) Federal grants and contracts	PR-F	C	-0-	-0-
(2) PROGRAM TOTALS					
GENERAL PURPOSE REVENUES				-0-	-0-
PROGRAM REVENUE				-0-	-0-
FEDERAL				(-0-)	(-0-)
OTHER				(-0-)	(-0-)
TOTAL-ALL SOURCES				-0-	-0-
20.512 DEPARTMENT TOTALS					
GENERAL PURPOSE REVENUES				5,713,000	5,687,400
PROGRAM REVENUE				728,500	749,600
FEDERAL				(-0-)	(-0-)
OTHER				(458,000)	(465,100)
SERVICE				(270,500)	(284,500)
TOTAL-ALL SOURCES				6,441,500	6,437,000
5	20.515 Employee trust funds, department of				
6	(1) EMPLOYE BENEFIT PLANS				
7	(a) Annuity supplements and				
8	payments	GPR	S	5,672,000	4,812,500
9	(b) Health insurance payments for				
10	certain retired state employees	GPR	S	-0-	-0-
11	(c) Contingencies	GPR	S	-0-	-0-
12	(t) Automated operating system	SEG	C	272,000	272,000
13	(u) Employee-funded reimbursement				
14	account plan	SEG	C	-0-	-0-

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(um) Benefit administration	SEG	B	5,000	5,000
2	(ut) Health insurance data collection				
3	and analysis contracts	SEG	A	269,800	269,800
4	(v) Provision of benefits	SEG	B	1,575,700	584,100
5	(w) Administration	SEG	A	14,672,500	14,163,300
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			5,672,000	4,812,500
	SEGREGATED FUNDS			16,795,000	15,294,200
	OTHER			(16,795,000)	(15,294,200)
	TOTAL-ALL SOURCES			22,467,000	20,106,700
6	(2) PRIVATE EMPLOYER HEALTH CARE COVERAGE PROGRAM				
7	(a) Private employer health care				
8	coverage program; operating costs	GPR	B	200,000	-0-
9	(b) Grants for program administration	GPR	B	200,000	-0-
10	(g) Private employer health care				
11	coverage plan	PR	C	-0-	-0-
	(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			400,000	-0-
	PROGRAM REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			400,000	-0-
	20.515 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUES			6,072,000	4,812,500
	PROGRAM REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	SEGREGATED FUNDS			16,795,000	15,294,200
	OTHER			(16,795,000)	(15,294,200)
	TOTAL-ALL SOURCES			22,867,000	20,106,700
12	20.521 Ethics board				
13	(1) ETHICS AND LOBBYING REGULATION				

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(a) General program operations;				
2	general purpose revenue	GPR	A	226,700	226,700
3	(g) General program operations;				
4	program revenue	PR	A	286,000	286,000
5	(h) Gifts and grants	PR	C	–0–	–0–
6	(i) Materials and services	PR	A	15,000	15,000
20.521 DEPARTMENT TOTALS					
	GENERAL PURPOSE REVENUES			226,700	226,700
	PROGRAM REVENUE			301,000	301,000
	OTHER			(301,000)	(301,000)
	TOTAL-ALL SOURCES			527,700	527,700
7	20.525 Office of the governor				
8	(1) EXECUTIVE ADMINISTRATION				
9	(a) General program operations	GPR	S	2,909,500	2,956,900
10	(b) Contingent fund	GPR	S	21,700	21,700
11	(c) Membership in national				
12	associations	GPR	S	107,100	111,400
13	(d) Disability board	GPR	S	–0–	–0–
14	(f) Literacy improvement aids	GPR	A	28,000	28,000
15	(i) Gifts and grants	PR	C	–0–	–0–
16	(kb) Assistance from the department of				
17	development	PR-S	C	25,000	25,000
18	(kf) Literacy improvement aids;				
19	program revenues	PR-S	A	25,000	25,000
20	(m) Federal aid	PR-F	C	–0–	–0–

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			3,066,300	3,118,000
	PROGRAM REVENUE			50,000	50,000
	FEDERAL			(-0-)	(-0-)
	OTHER			(-0-)	(-0-)
	SERVICE			(50,000)	(50,000)
	TOTAL-ALL SOURCES			3,116,300	3,168,000
1	(2) EXECUTIVE RESIDENCE				
2	(a) General program operations	GPR	S	184,600	184,600
	(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			184,600	184,600
	TOTAL-ALL SOURCES			184,600	184,600
	20.525 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUES			3,250,900	3,302,600
	PROGRAM REVENUE			50,000	50,000
	FEDERAL			(-0-)	(-0-)
	OTHER			(-0-)	(-0-)
	SERVICE			(50,000)	(50,000)
	TOTAL-ALL SOURCES			3,300,900	3,352,600
3	20.536 Investment board				
4	(1) INVESTMENT OF FUNDS				
5	(k) General program operations	PR	C	14,498,600	17,720,500
6	(ka) General program operations;				
7	environmental improvement fund	PR-S	C	-0-	-0-
	20.536 DEPARTMENT TOTALS				
	PROGRAM REVENUE			14,498,600	17,720,500
	OTHER			(14,498,600)	(17,720,500)
	SERVICE			(-0-)	(-0-)
	TOTAL-ALL SOURCES			14,498,600	17,720,500
8	20.540 Office of the lieutenant governor				
9	(1) EXECUTIVE COORDINATION				
10	(a) General program operations	GPR	A	503,100	503,100

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(g) Gifts, grants and proceeds	PR	C	-0-	-0-
2	(k) Grants from state agencies	PR-S	C	-0-	-0-
3	(m) Federal aid	PR-F	C	-0-	-0-
20.540 DEPARTMENT TOTALS					
	GENERAL PURPOSE REVENUES			503,100	503,100
	PROGRAM REVENUE			-0-	-0-
	FEDERAL			(-0-)	(-0-)
	OTHER			(-0-)	(-0-)
	SERVICE			(-0-)	(-0-)
	TOTAL-ALL SOURCES			503,100	503,100
4	20.547 Personnel commission				
5	(1) REVIEW OF PERSONNEL DECISIONS				
6	(a) General program operations	GPR	A	855,500	857,700
7	(h) Publications	PR	A	3,000	3,000
8	(m) Federal aid	PR-F	C	-0-	-0-
20.547 DEPARTMENT TOTALS					
	GENERAL PURPOSE REVENUES			855,500	857,700
	PROGRAM REVENUE			3,000	3,000
	FEDERAL			(-0-)	(-0-)
	OTHER			(3,000)	(3,000)
	TOTAL-ALL SOURCES			858,500	860,700
9	20.550 Public defender board				
10	(1) LEGAL ASSISTANCE				
11	(a) Program administration	GPR	A	1,894,400	2,415,400
12	(b) Appellate representation	GPR	A	3,850,300	3,851,000
13	(c) Trial representation	GPR	A	35,076,500	35,125,000
14	(d) Private bar and investigator				
15	reimbursement	GPR	B	18,314,000	18,826,700

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(e) Private bar and investigator				
2	payments; administration costs	GPR	A	553,600	553,600
3	(f) Transcript and record payments	GPR	A	1,249,600	1,249,600
4	(fb) Payments from clients;				
5	administrative costs	PR	A	130,000	130,000
6	(g) Gifts and grants	PR	C	–0–	–0–
7	(h) Contractual agreements	PR-S	A	–0–	–0–
8	(i) Tuition payments	PR	C	–0–	–0–
9	(kj) Conferences and training	PR-S	A	113,300	113,300
10	(L) Private bar and inv.				
11	reimbursement; payments for legal				
12	representation	PR	C	1,024,700	1,024,700
13	(m) Federal aid	PR-F	C	–0–	–0–
20.550 DEPARTMENT TOTALS					
	GENERAL PURPOSE REVENUES			60,938,400	62,021,300
	PROGRAM REVENUE			1,268,000	1,268,000
	FEDERAL			(–0–)	(–0–)
	OTHER			(1,154,700)	(1,154,700)
	SERVICE			(113,300)	(113,300)
	TOTAL-ALL SOURCES			62,206,400	63,289,300
14	20.566 Revenue, department of				
15	(1) COLLECTION OF TAXES				
16	(a) General program operations	GPR	A	50,631,400	48,040,400
17	(g) Administration of county sales and				
18	use taxes	PR	A	2,922,300	2,172,300
19	(ga) Cigarette tax stamps	PR	A	177,800	177,800

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(gb) Business tax registration	PR	A	1,513,500	1,186,800
2	(gd) Administration of special district				
3	taxes	PR	A	382,700	337,700
4	(gf) Administration of resort tax	PR	A	18,500	18,500
5	(gg) Administration of local taxes	PR	A	278,900	203,900
6	(gm) Administration of tax on controlled				
7	substances dealers	PR	A	-0-	-0-
8	(h) Debt collection	PR	A	294,300	293,100
9	(ha) Administration of liquor tax	PR	A	215,400	170,400
10	(hm) Collections under contracts	PR	S	352,800	352,800
11	(hp) Administration of endangered				
12	resources voluntary payments	PR	A	33,000	33,000
13	(i) Gifts and grants	PR	C	-0-	-0-
14	(m) Federal funds; state operations	PR-F	C	-0-	-0-
15	(q) Recycling surcharge administration	SEG	A	123,000	245,900
16	(qm) Administration of rental vehicle fee	SEG	A	31,200	31,200
17	(r) Administration of dry cleaner fees	SEG	A	54,800	54,800
18	(s) Petroleum inspection fee collection	SEG	A	126,100	126,100
19	(u) Motor fuel tax administration	SEG	A	1,097,400	1,097,400
(1) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			50,631,400	48,040,400
	PROGRAM REVENUE			6,189,200	4,946,300
	FEDERAL			(-0-)	(-0-)
	OTHER			(6,189,200)	(4,946,300)
	SEGREGATED FUNDS			1,432,500	1,555,400

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
	OTHER			(1,432,500)	(1,555,400)
	TOTAL-ALL SOURCES			58,253,100	54,542,100
1	(2) STATE AND LOCAL FINANCE				
2	(a) General program operations	GPR	A	10,765,800	10,765,800
3	(am) Lottery and gaming credit				
4	administration	GPR	A	43,300	33,500
5	(g) County assessment studies	PR	C	-0-	-0-
6	(gi) Municipal finance report				
7	compliance	PR	A	40,300	40,300
8	(h) Reassessments	PR	A	635,700	635,700
9	(hi) Wisconsin property assessment				
10	manual	PR	A	66,900	66,900
11	(i) Gifts and grants	PR	C	-0-	-0-
12	(m) Federal funds; state operations	PR-F	C	-0-	-0-
13	(q) Railroad and air carrier tax				
14	administration	SEG	A	186,800	186,800
15	(r) Lottery credit administration	SEG	A	-0-	-0-
	(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			10,809,100	10,799,300
	PROGRAM REVENUE			742,900	742,900
	FEDERAL			(-0-)	(-0-)
	OTHER			(742,900)	(742,900)
	SEGREGATED FUNDS			186,800	186,800
	OTHER			(186,800)	(186,800)
	TOTAL-ALL SOURCES			11,738,800	11,729,000
16	(3) ADMINISTRATIVE SERVICES AND SPACE RENTAL				
17	(a) General program operations	GPR	A	15,520,100	15,534,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01	
1	(b) Integrated tax system technology	GPR	A	5,736,000	–0–	
2	(c) Expert professional services	GPR	A	30,000	30,000	
3	(g) Services	PR	A	57,000	57,000	
4	(gm) Reciprocity agreement and					
5	publications	PR	A	201,400	201,400	
6	(go) Reciprocity agreement; Illinois	PR	A	105,000	50,700	
7	(i) Gifts and grants	PR	C	–0–	–0–	
8	(k) Internal services	PR-S	A	200,300	200,300	
9	(m) Federal funds; state operations	PR-F	C	–0–	–0–	
	(3) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			21,286,100	15,564,000	
	PROGRAM REVENUE			563,700	509,400	
	FEDERAL			(–0–)	(–0–)	
	OTHER			(363,400)	(309,100)	
	SERVICE			(200,300)	(200,300)	
	TOTAL-ALL SOURCES			21,849,800	16,073,400	
10	(7) INVESTMENT AND LOCAL IMPACT FUND					
11	(e) Investment and local impact fund					
12	supplement	GPR	A	–0–	–0–	
13	(g) Investment and local impact fund					
14	administrative expenses	PR	A	–0–	–0–	
15	(n) Federal mining revenue	PR-F	C	–0–	–0–	
16	(v) Investment and local impact fund	SEG	C	–0–	–0–	
	(7) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			–0–	–0–	
	PROGRAM REVENUE			–0–	–0–	
	FEDERAL			(–0–)	(–0–)	
	OTHER			(–0–)	(–0–)	
	SEGREGATED FUNDS			–0–	–0–	

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			-0-	-0-
1	(8) LOTTERY				
2	(a) General program operations	GPR	A	21,095,800	21,095,800
3	(b) Retailer compensation	GPR	S	27,927,600	30,573,800
4	(c) Vendor fees	GPR	S	12,178,700	12,419,000
5	(q) General program operations	SEG	A	-0-	-0-
6	(r) Retailer compensation	SEG	S	-0-	-0-
7	(s) Prizes	SEG	S	-0-	-0-
8	(v) Vendor fees	SEG	S	-0-	-0-
	(8) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			61,202,100	64,088,600
	SEGREGATED FUNDS			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			61,202,100	64,088,600
	20.566 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUES			143,928,700	138,492,300
	PROGRAM REVENUE			7,495,800	6,198,600
	FEDERAL			(-0-)	(-0-)
	OTHER			(7,295,500)	(5,998,300)
	SERVICE			(200,300)	(200,300)
	SEGREGATED FUNDS			1,619,300	1,742,200
	OTHER			(1,619,300)	(1,742,200)
	TOTAL-ALL SOURCES			153,043,800	146,433,100
9	20.575 Secretary of state				
10	(1) MANAGING AND OPERATING PROGRAM RESPONSIBILITIES				
11	(g) Program fees	PR	A	622,100	618,900
12	(ka) Agency collections	PR-S	A	4,000	4,000
	20.575 DEPARTMENT TOTALS				
	PROGRAM REVENUE			626,100	622,900
	OTHER			(622,100)	(618,900)

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
	SERVICE			(4,000)	(4,000)
	TOTAL-ALL SOURCES			626,100	622,900
1	20.585 Treasurer, state				
2	(1) CUSTODIAN OF STATE FUNDS				
3	(b) Insurance	GPR	A	-0-	-0-
4	(e) Unclaimed property; contingency				
5	appropriation	GPR	S	-0-	-0-
6	(g) Processing services	PR	A	172,200	172,800
7	(h) Training conferences	PR	C	-0-	-0-
8	(i) Gifts and grants	PR	C	-0-	-0-
9	(j) Unclaimed property	PR	C	642,800	804,000
10	(jt) Allocation – cash management	PR	A	45,800	46,400
11	(kb) General program operations	PR-S	A	520,000	522,700
12	(km) Credit card use charges	PR-S	C	-0-	-0-
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			-0-	-0-
	PROGRAM REVENUE			1,380,800	1,545,900
	OTHER			(860,800)	(1,023,200)
	SERVICE			(520,000)	(522,700)
	TOTAL-ALL SOURCES			1,380,800	1,545,900
13	(2) COLLEGE TUITION PREPAYMENT PROGRAM				
14	(a) Administrative expenses; general				
15	fund	GPR	A	85,000	85,000
16	(q) Payment of tuition	SEG	S	-0-	-0-
17	(r) Payment of refunds	SEG	S	-0-	-0-

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(s) Administrative expenses; tuition				
2	trust fund	SEG	A	147,000	150,000
	(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			85,000	85,000
	SEGREGATED FUNDS			147,000	150,000
	OTHER			(147,000)	(150,000)
	TOTAL-ALL SOURCES			232,000	235,000
	20.585 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUES			85,000	85,000
	PROGRAM REVENUE			1,380,800	1,545,900
	OTHER			(860,800)	(1,023,200)
	SERVICE			(520,000)	(522,700)
	SEGREGATED FUNDS			147,000	150,000
	OTHER			(147,000)	(150,000)
	TOTAL-ALL SOURCES			1,612,800	1,780,900
	General Executive Functions FUNCTIONAL AREA TOTALS				
	GENERAL PURPOSE REVENUES			242,764,400	242,900,300
	PROGRAM REVENUE			389,132,900	390,456,300
	FEDERAL			(108,349,500)	(107,322,200)
	OTHER			(43,916,700)	(42,494,200)
	SERVICE			(236,866,700)	(240,639,900)
	SEGREGATED FUNDS			39,004,800	56,729,900
	FEDERAL			(-0-)	(-0-)
	OTHER			(38,004,800)	(55,729,900)
	SERVICE			(1,000,000)	(1,000,000)
	LOCAL			(-0-)	(-0-)
	TOTAL-ALL SOURCES			670,902,100	690,086,500

Judicial

3	20.625 Circuit courts				
4	(1) COURT OPERATIONS				
5	(a) Circuit courts	GPR	S	49,024,500	49,186,300
6	(as) Violent crime court costs	GPR	A	-0-	-0-
7	(b) Permanent reserve judges	GPR	A	-0-	-0-

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(c) Court interpreter fees	GPR	A	188,800	188,800
2	(d) Circuit court support payments	GPR	B	18,739,600	18,739,600
3	(e) Guardian ad litem costs	GPR	A	4,738,500	4,738,500
4	(m) Federal aid	PR-F	C	-0-	-0-
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			72,691,400	72,853,200
	PROGRAM REVENUE			-0-	-0-
	FEDERAL			(-0-)	(-0-)
	TOTAL-ALL SOURCES			72,691,400	72,853,200
5	(3) CHILD CUSTODY HEARINGS AND STUDIES IN OTHER STATES				
6	(a) General program operations	GPR	S	-0-	-0-
	(3) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			-0-	-0-
	TOTAL-ALL SOURCES			-0-	-0-
	20.625 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUES			72,691,400	72,853,200
	PROGRAM REVENUE			-0-	-0-
	FEDERAL			(-0-)	(-0-)
	TOTAL-ALL SOURCES			72,691,400	72,853,200
7	20.660 Court of appeals				
8	(1) APPELLATE PROCEEDINGS				
9	(a) General program operations	GPR	S	6,997,900	6,997,900
10	(m) Federal aid	PR-F	C	-0-	-0-
	20.660 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUES			6,997,900	6,997,900
	PROGRAM REVENUE			-0-	-0-
	FEDERAL			(-0-)	(-0-)
	TOTAL-ALL SOURCES			6,997,900	6,997,900
11	20.665 Judicial commission				
12	(1) JUDICIAL CONDUCT				

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(a) General program operations	GPR	A	172,700	173,100
2	(cm) Contractual agreements	GPR	B	18,200	18,200
3	(d) General program operations;				
4	judicial council	GPR	A	35,000	35,000
5	(mm) Federal aid	PR-F	C	-0-	-0-
20.665 DEPARTMENT TOTALS					
	GENERAL PURPOSE REVENUES			225,900	226,300
	PROGRAM REVENUE			-0-	-0-
	FEDERAL			(-0-)	(-0-)
	TOTAL-ALL SOURCES			225,900	226,300
6	20.680 Supreme court				
7	(1) SUPREME COURT PROCEEDINGS				
8	(a) General program operations	GPR	S	3,848,100	3,848,100
9	(m) Federal aid	PR-F	C	-0-	-0-
(1) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			3,848,100	3,848,100
	PROGRAM REVENUE			-0-	-0-
	FEDERAL			(-0-)	(-0-)
	TOTAL-ALL SOURCES			3,848,100	3,848,100
10	(2) DIRECTOR OF STATE COURTS				
11	(a) General program operations	GPR	B	4,809,300	4,809,300
12	(b) Judicial planning and research	GPR	A	-0-	-0-
13	(g) Gifts and grants	PR	C	-0-	-0-
14	(h) Materials and services	PR	C	50,900	50,900
15	(i) Municipal judge training	PR	C	115,400	115,400
16	(j) Court information systems	PR	C	7,014,700	8,342,100
17	(kc) Central services	PR-S	A	164,000	164,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(kd) Court operations information				
2	technology	PR-S	A	-0-	-0-
3	(ke) Interagency and intra-agency				
4	automation assistance	PR-S	C	-0-	-0-
5	(kp) Court information systems; penalty				
6	assessment receipts	PR	A	950,000	-0-
7	(m) Federal aid	PR-F	C	400,000	400,000
8	(qm) Mediation fund	SEG	C	657,800	657,800
	(2) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			4,809,300	4,809,300
	PROGRAM REVENUE			8,695,000	9,072,400
	FEDERAL			(400,000)	(400,000)
	OTHER			(8,131,000)	(8,508,400)
	SERVICE			(164,000)	(164,000)
	SEGREGATED FUNDS			657,800	657,800
	OTHER			(657,800)	(657,800)
	TOTAL-ALL SOURCES			14,162,100	14,539,500
9	(3) BAR EXAMINERS AND RESPONSIBILITY				
10	(g) Board of bar examiners	PR	C	528,200	528,200
11	(h) Board of attorneys professional				
12	responsibility	PR	C	1,382,700	1,382,700
	(3) PROGRAM TOTALS				
	PROGRAM REVENUE			1,910,900	1,910,900
	OTHER			(1,910,900)	(1,910,900)
	TOTAL-ALL SOURCES			1,910,900	1,910,900
13	(4) LAW LIBRARY				
14	(a) General program operations	GPR	B	1,065,600	1,022,600
15	(g) Library collections and services	PR	C	111,300	111,300
16	(h) Gifts and grants	PR	C	229,200	229,200

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
(4) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			1,065,600	1,022,600
PROGRAM REVENUE			340,500	340,500
OTHER			(340,500)	(340,500)
TOTAL-ALL SOURCES			1,406,100	1,363,100
20.680 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			9,723,000	9,680,000
PROGRAM REVENUE			10,946,400	11,323,800
FEDERAL			(400,000)	(400,000)
OTHER			(10,382,400)	(10,759,800)
SERVICE			(164,000)	(164,000)
SEGREGATED FUNDS			657,800	657,800
OTHER			(657,800)	(657,800)
TOTAL-ALL SOURCES			21,327,200	21,661,600
Judicial				
FUNCTIONAL AREA TOTALS				
GENERAL PURPOSE REVENUES			89,638,200	89,757,400
PROGRAM REVENUE			10,946,400	11,323,800
FEDERAL			(400,000)	(400,000)
OTHER			(10,382,400)	(10,759,800)
SERVICE			(164,000)	(164,000)
SEGREGATED FUNDS			657,800	657,800
FEDERAL			(-0-)	(-0-)
OTHER			(657,800)	(657,800)
SERVICE			(-0-)	(-0-)
LOCAL			(-0-)	(-0-)
TOTAL-ALL SOURCES			101,242,400	101,739,000

Legislative

1	20.765 Legislature				
2	(1) ENACTMENT OF STATE LAWS				
3	(a) General program operations —				
4	assembly	GPR	S	20,558,000	20,558,000
5	(b) General program operations —				
6	senate	GPR	S	13,346,100	13,346,100
7	(d) Legislative documents	GPR	S	9,596,200	8,028,600

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	1999-00	2000-01	
(1) PROGRAM TOTALS						
GENERAL PURPOSE REVENUES				43,500,300	41,932,700	
TOTAL-ALL SOURCES				43,500,300	41,932,700	
1	(2)	SPECIAL STUDY GROUPS				
2	(a)	Retirement committees	GPR	A	217,000	212,800
3	(ab)	Retirement actuarial studies	GPR	B	15,000	15,000
(2) PROGRAM TOTALS						
GENERAL PURPOSE REVENUES				232,000	227,800	
TOTAL-ALL SOURCES				232,000	227,800	
4	(3)	SERVICE AGENCIES AND NATIONAL ASSOCIATIONS				
5	(a)	Revisor of statutes bureau	GPR	B	712,300	718,500
6	(b)	Legislative reference bureau	GPR	B	3,635,000	3,637,800
7	(c)	Legislative audit bureau	GPR	B	4,022,900	4,022,900
8	(d)	Legislative fiscal bureau	GPR	B	2,527,600	2,595,200
9	(e)	Legislative council	GPR	B	2,734,200	2,734,200
10	(em)	Legislative technology services				
11		bureau	GPR	B	1,430,600	1,438,000
12	(f)	Joint committee on legislative				
13		organization	GPR	B	–0–	–0–
14	(fa)	Membership in national				
15		associations	GPR	S	162,500	167,600
16	(g)	Gifts and grants to service agencies	PR	C	–0–	–0–
17	(ka)	Audit bureau reimbursable audits	PR-S	A	1,281,900	1,355,200
18	(m)	Federal aid	PR-F	C	–0–	–0–
(3) PROGRAM TOTALS						
GENERAL PURPOSE REVENUES				15,225,100	15,314,200	

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
PROGRAM REVENUE			1,281,900	1,355,200
FEDERAL			(-0-)	(-0-)
OTHER			(-0-)	(-0-)
SERVICE			(1,281,900)	(1,355,200)
TOTAL-ALL SOURCES			16,507,000	16,669,400
20.765 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			58,957,400	57,474,700
PROGRAM REVENUE			1,281,900	1,355,200
FEDERAL			(-0-)	(-0-)
OTHER			(-0-)	(-0-)
SERVICE			(1,281,900)	(1,355,200)
TOTAL-ALL SOURCES			60,239,300	58,829,900
Legislative FUNCTIONAL AREA TOTALS				
GENERAL PURPOSE REVENUES			58,957,400	57,474,700
PROGRAM REVENUE			1,281,900	1,355,200
FEDERAL			(-0-)	(-0-)
OTHER			(-0-)	(-0-)
SERVICE			(1,281,900)	(1,355,200)
SEGREGATED FUNDS			-0-	-0-
FEDERAL			(-0-)	(-0-)
OTHER			(-0-)	(-0-)
SERVICE			(-0-)	(-0-)
LOCAL			(-0-)	(-0-)
TOTAL-ALL SOURCES			60,239,300	58,829,900

General Appropriations

1	20.835 Shared revenue and tax relief				
2	(1) SHARED REVENUE PAYMENTS				
3	(b) Small municipalities shared				
4	revenue	GPR	S	10,000,000	11,875,000
5	(c) Expenditure restraint program				
6	account	GPR	S	48,000,000	57,000,000
7	(d) Shared revenue account	GPR	S	930,459,800	949,069,000
8	(e) State aid; computers	GPR	S	63,800,000	70,250,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(f) County mandate relief account	GPR	S	20,159,000	20,763,800
	(1) P R O G R A M T O T A L S				
	GENERAL PURPOSE REVENUES			1,072,418,800	1,108,957,800
	TOTAL-ALL SOURCES			1,072,418,800	1,108,957,800
2	(2) TAX RELIEF				
3	(b) Claim of right credit	GPR	S	-0-	-0-
4	(c) Homestead tax credit	GPR	S	77,900,000	88,100,000
5	(ci) Development zones investment				
6	credit	GPR	S	2,500	2,500
7	(cL) Development zones location credit	GPR	S	2,500	2,500
8	(cm) Development zones jobs credit	GPR	S	150,000	150,000
9	(cn) Development zones sales tax credit	GPR	S	150,000	150,000
10	(d) Farmers' drought property tax				
11	credit	GPR	S	-0-	-0-
12	(dm) Farmland preservation credit	GPR	S	18,500,000	16,900,000
13	(dn) Farmland tax relief credit	GPR	S	15,000,000	15,000,000
14	(ep) Cigarette and tobacco product tax				
15	refunds	GPR	S	9,520,000	9,320,000
16	(f) Earned income tax credit	GPR	S	12,200,000	13,000,000
17	(ka) Farmland tax relief credit	PR	C	-0-	-0-
18	(kf) Earned income tax credit;				
19	temporary assistance for needy				
20	families	PR-S	A	51,000,000	54,000,000
21	(q) Farmland tax relief credit	SEG	S	-0-	-0-

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	1999-00	2000-01
(2) PROGRAM TOTALS					
GENERAL PURPOSE REVENUES				133,425,000	142,625,000
PROGRAM REVENUE				51,000,000	54,000,000
OTHER				(-0-)	(-0-)
SERVICE				(51,000,000)	(54,000,000)
SEGREGATED FUNDS				-0-	-0-
OTHER				(-0-)	(-0-)
TOTAL-ALL SOURCES				184,425,000	196,625,000
1	(3) STATE PROPERTY TAX CREDITS				
2	(b) School levy tax credit	GPR	S	469,305,000	469,305,000
3	(q) Lottery credit	SEG	S	227,097,100	401,761,200
(3) PROGRAM TOTALS					
GENERAL PURPOSE REVENUES				469,305,000	469,305,000
SEGREGATED FUNDS				227,097,100	401,761,200
OTHER				(227,097,100)	(401,761,200)
TOTAL-ALL SOURCES				696,402,100	871,066,200
4	(4) COUNTY AND LOCAL TAXES				
5	(g) County taxes	PR	C	-0-	-0-
6	(gb) Special district taxes	PR	C	-0-	-0-
7	(gd) Premier resort area tax	PR	C	-0-	-0-
8	(gg) Local taxes	PR	C	-0-	-0-
(4) PROGRAM TOTALS					
PROGRAM REVENUE				-0-	-0-
OTHER				(-0-)	(-0-)
TOTAL-ALL SOURCES				-0-	-0-
9	(5) PAYMENTS IN LIEU OF TAXES				
10	(a) Payments for municipal services	GPR	A	18,065,300	23,439,500
(5) PROGRAM TOTALS					
GENERAL PURPOSE REVENUES				18,065,300	23,439,500
TOTAL-ALL SOURCES				18,065,300	23,439,500
20.835 DEPARTMENT TOTALS					
GENERAL PURPOSE REVENUES				1,693,214,100	1,744,327,300

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	1999-00	2000-01
	PROGRAM REVENUE			51,000,000	54,000,000
	OTHER SERVICE			(-0-)	(-0-)
	SEGREGATED FUNDS			(51,000,000)	(54,000,000)
	OTHER			227,097,100	401,761,200
	TOTAL-ALL SOURCES			(227,097,100)	(401,761,200)
				1,971,311,200	2,200,088,500
1	20.855 Miscellaneous appropriations				
2	(1) CASH MANAGEMENT EXPENSES; INTEREST AND PRINCIPAL REPAYMENT				
3	(a) Obligation on operating notes	GPR	S	-0-	7,800,000
4	(b) Operating note expenses	GPR	S	110,000	110,000
5	(bm) Payment of cancelled drafts	GPR	S	1,100,000	1,100,000
6	(c) Interest payments to program				
7	revenue accounts	GPR	S	-0-	-0-
8	(d) Interest payments to segregated				
9	funds	GPR	S	-0-	-0-
10	(dm) Interest reimbursements to federal				
11	government	GPR	S	-0-	-0-
12	(e) Interest on prorated local				
13	government payments	GPR	S	-0-	-0-
14	(gm) Payment of cancelled drafts;				
15	program revenues	PR	S	-0-	-0-
16	(q) Redemption of operating notes	SEG	S	-0-	-0-
17	(r) Interest payments to general fund	SEG	S	-0-	-0-
18	(rm) Payment of cancelled drafts;				
19	segregated revenues	SEG	S	-0-	-0-
	(1) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			1,210,000	9,010,000

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
	PROGRAM REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	SEGREGATED FUNDS			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			1,210,000	9,010,000
1	(3) RELOCATION EXPENSES				
2	(a) Capitol offices relocation	GPR	S	2,420,400	2,420,400
3	(b) Capitol restoration and relocation				
4	planning	GPR	B	-0-	-0-
	(3) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			2,420,400	2,420,400
	TOTAL-ALL SOURCES			2,420,400	2,420,400
5	(4) TAX, ASSISTANCE AND TRANSFER PAYMENTS				
6	(a) Interest on overpayment of taxes	GPR	S	800,000	900,000
7	(am) Great Lakes protection fund				
8	contribution	GPR	C	-0-	-0-
9	(b) Election campaign payments	GPR	S	310,000	310,000
10	(c) Minnesota income tax reciprocity	GPR	S	44,500,000	48,000,000
11	(ca) Minnesota income tax reciprocity				
12	bench mark	GPR	A	-0-	-0-
13	(cm) Illinois income tax reciprocity	GPR	S	-0-	-0-
14	(cn) Illinois income tax reciprocity				
15	benchmark	GPR	A	105,000	50,700
16	(co) Illinois income tax reciprocity, 1998				
17	and 1999	GPR	A	8,250,000	-0-

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(e) Transfer to conservation fund; land				
2	acquisition reimbursement	GPR	S	238,700	247,900
3	(f) Supplemental title fee matching	GPR	S	10,600,000	10,400,000
4	(q) Terminal tax distribution	SEG	S	1,046,300	1,057,400
5	(r) Petroleum allowance	SEG	S	400,000	400,000
6	(s) Transfer to conservation fund;				
7	motorboat formula	SEG	S	10,101,300	10,495,500
8	(t) Transfer to conservation fund;				
9	snowmobile formula	SEG	S	3,676,500	3,846,800
10	(u) Transfer to conservation fund;				
11	all-terrain vehicle formula	SEG	S	635,000	720,500
	(4) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			64,803,700	59,908,600
	SEGREGATED FUNDS			15,859,100	16,520,200
	OTHER			(15,859,100)	(16,520,200)
	TOTAL-ALL SOURCES			80,662,800	76,428,800
12	(5) STATE HOUSING AUTHORITY RESERVE FUND				
13	(a) Enhancement of credit of authority				
14	debt	GPR	A	-0-	-0-
	(5) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			-0-	-0-
	TOTAL-ALL SOURCES			-0-	-0-
15	(6) MISCELLANEOUS RECEIPTS				
16	(g) Gifts and grants	PR	C	-0-	-0-
17	(h) Vehicle and aircraft receipts	PR	A	-0-	-0-
18	(i) Miscellaneous program revenue	PR	A	-0-	-0-

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(j) Custody accounts	PR	C	-0-	-0-
2	(k) Aids to individuals and				
3	organizations	PR-S	C	-0-	-0-
4	(ka) Local assistance	PR-S	C	-0-	-0-
5	(m) Federal aid	PR-F	C	-0-	-0-
6	(pz) Indirect cost reimbursements	PR-F	C	-0-	-0-
	(6) PROGRAM TOTALS				
	PROGRAM REVENUE			-0-	-0-
	FEDERAL			(-0-)	(-0-)
	OTHER			(-0-)	(-0-)
	SERVICE			(-0-)	(-0-)
	TOTAL-ALL SOURCES			-0-	-0-
7	(7) DEBT COLLECTIONS				
8	(j) Delinquent support and				
9	maintenance payments	PR	C	-0-	-0-
	(7) PROGRAM TOTALS				
	PROGRAM REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			-0-	-0-
10	(8) MARQUETTE UNIVERSITY				
11	(a) Dental clinic and educ facility;				
12	principal repayment, interest &				
13	rebates	GPR	S	-0-	-0-
	(8) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			-0-	-0-
	TOTAL-ALL SOURCES			-0-	-0-
14	(9) STATE CAPITOL RENOVATION AND RESTORATION				

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(a) South wing renovation and				
2	restoration	GPR	C	-0-	-0-
	(9) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			-0-	-0-
	TOTAL-ALL SOURCES			-0-	-0-
	20.855 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUES			68,434,100	71,339,000
	PROGRAM REVENUE			-0-	-0-
	FEDERAL			(-0-)	(-0-)
	OTHER			(-0-)	(-0-)
	SERVICE			(-0-)	(-0-)
	SEGREGATED FUNDS			15,859,100	16,520,200
	OTHER			(15,859,100)	(16,520,200)
	TOTAL-ALL SOURCES			84,293,200	87,859,200
3	20.865 Program supplements				
4	(1) EMPLOYE COMPENSATION AND SUPPORT				
5	(a) Judgments and legal expenses	GPR	S	50,000	50,000
6	(c) Compensation and related				
7	adjustments	GPR	S	-0-	-0-
8	(cb) Pay rate or range reassignments	GPR	A	7,827,200	7,827,200
9	(ci) Nonrepresented university system				
10	faculty and academic pay				
11	adjustments	GPR	S	-0-	-0-
12	(cj) Pay adjustments for certain				
13	university employees	GPR	A	-0-	-0-
14	(d) Employer fringe benefit costs	GPR	S	76,300	76,300
15	(e) Additional biweekly payroll	GPR	A	-0-	30,000,000
16	(em) Financial services	GPR	A	172,200	172,200

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(fm) Risk management	GPR	A	-0-	-0-
2	(fn) Physically handicapped				
3	supplements	GPR	A	6,900	6,900
4	(g) Judgments and legal expenses;				
5	program revenues	PR	S	-0-	-0-
6	(i) Compensation and related				
7	adjustments; program revenues	PR	S	-0-	-0-
8	(ib) Pay rate or range reassignments	PR	A	1,286,500	1,286,500
9	(ic) Nonrepresented university system				
10	faculty and academic pay				
11	adjustments	PR	S	-0-	-0-
12	(j) Employer fringe benefit costs;				
13	program revenues	PR	S	-0-	-0-
14	(jm) Additional biweekly payroll;				
15	nonfederal program revenues	PR	S	-0-	-0-
16	(js) Financial services; program				
17	revenues	PR	S	-0-	-0-
18	(kr) Risk management; program				
19	revenues	PR-S	S	-0-	-0-
20	(Ln) Physically handicapped				
21	supplements; program revenues	PR	S	-0-	-0-
22	(m) Additional biweekly payroll; federal				
23	program revenues	PR-F	S	-0-	-0-

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(q) Judgments and legal expenses;				
2	segregated revenues	SEG	S	–0–	–0–
3	(s) Compensation and related				
4	adjustments; segregated revenues	SEG	S	–0–	–0–
5	(si) Nonrepresented university system				
6	faculty and academic pay				
7	adjustments	SEG	S	–0–	–0–
8	(t) Employer fringe benefit costs;				
9	segregated revenues	SEG	S	–0–	–0–
10	(tm) Additional biweekly payroll;				
11	nonfederal segregated revenues	SEG	S	–0–	–0–
12	(ts) Financial services; segregated				
13	revenues	SEG	S	–0–	–0–
14	(ur) Risk management; segregated				
15	revenues	SEG	S	–0–	–0–
16	(vn) Physically handicapped				
17	supplements; segregated revenues	SEG	S	–0–	–0–
18	(x) Additional biweekly payroll; federal				
19	segregated revenues	SEG-F	S	–0–	–0–

(1) PROGRAM TOTALS

GENERAL PURPOSE REVENUES	8,132,600	38,132,600
PROGRAM REVENUE	1,286,500	1,286,500
FEDERAL	(–0–)	(–0–)
OTHER	(1,286,500)	(1,286,500)
SERVICE	(–0–)	(–0–)
SEGREGATED FUNDS	–0–	–0–
FEDERAL	(–0–)	(–0–)
OTHER	(–0–)	(–0–)
TOTAL-ALL SOURCES	9,419,100	39,419,100

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(2) STATE PROGRAMS AND FACILITIES				
2	(a) Space management and child care	GPR	A	3,441,300	3,935,000
3	(ag) State-owned office rent supplement	GPR	A	1,189,900	2,379,800
4	(d) State deposit fund	GPR	S	–0–	–0–
5	(e) Maintenance of capitol and				
6	executive residence	GPR	A	5,492,700	5,492,700
7	(eb) Executive residence furnishings				
8	replacement	GPR	C	25,000	25,000
9	(em) Groundwater survey and analysis	GPR	A	231,200	231,200
10	(g) Space management and child care;				
11	program revenues	PR	S	–0–	–0–
12	(gg) State-owned office rent				
13	supplement; program revenues	PR	S	–0–	–0–
14	(j) State deposit fund; program				
15	revenues	PR	S	–0–	–0–
16	(L) Data processing and				
17	telecommunications study; program				
18	revenues	PR-S	S	–0–	–0–
19	(q) Space management and child care;				
20	segregated revenues	SEG	S	–0–	–0–
21	(qg) State-owned office rent				
22	supplement; segregated revenues	SEG	S	–0–	–0–
23	(t) State deposit fund; segregated				
24	revenues	SEG	S	–0–	–0–

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	1999-00	2000-01
(2) PROGRAM TOTALS					
GENERAL PURPOSE REVENUES				10,380,100	12,063,700
PROGRAM REVENUE				-0-	-0-
OTHER				(-0-)	(-0-)
SERVICE				(-0-)	(-0-)
SEGREGATED FUNDS				-0-	-0-
OTHER				(-0-)	(-0-)
TOTAL-ALL SOURCES				10,380,100	12,063,700
1	(3) TAXES AND SPECIAL CHARGES				
2	(a) Property taxes	GPR	S	-0-	-0-
3	(g) Property taxes; program revenues	PR	S	-0-	-0-
4	(i) Payments for municipal services;				
5	program revenues	PR	S	-0-	-0-
6	(q) Property taxes; segregated				
7	revenues	SEG	S	-0-	-0-
8	(s) Payments for municipal services;				
9	segregated revenues	SEG	S	-0-	-0-
(3) PROGRAM TOTALS					
GENERAL PURPOSE REVENUES				-0-	-0-
PROGRAM REVENUE				-0-	-0-
OTHER				(-0-)	(-0-)
SEGREGATED FUNDS				-0-	-0-
OTHER				(-0-)	(-0-)
TOTAL-ALL SOURCES				-0-	-0-
10	(4) JOINT COMMITTEE ON FINANCE SUPPLEMENTAL APPROPRIATIONS				
11	(a) General purpose revenue funds				
12	general program supplementation	GPR	B	20,254,800	84,790,900
13	(g) Program revenue funds general				
14	program supplementation	PR	S	1,406,000	2,641,500

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(m) Federal funds general program				
2	supplementation	PR-F	C	115,219,000	10,000,000
3	(u) Segregated funds general program				
4	supplementation	SEG	S	2,397,300	11,267,100
	(4) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			20,254,800	84,790,900
	PROGRAM REVENUE			116,625,000	12,641,500
	FEDERAL			(115,219,000)	(10,000,000)
	OTHER			(1,406,000)	(2,641,500)
	SEGREGATED FUNDS			2,397,300	11,267,100
	OTHER			(2,397,300)	(11,267,100)
	TOTAL-ALL SOURCES			139,277,100	108,699,500
5	(8) SUPPLEMENTATION OF PROGRAM REVENUE AND PROGRAM REV.-SERVICE APPROPRIATIONS				
6	(g) Supplementation of program				
7	revenue and program rev.-service				
8	appropriations	PR	S	-0-	-0-
	(8) PROGRAM TOTALS				
	PROGRAM REVENUE			-0-	-0-
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			-0-	-0-
	20.865 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUES			38,767,500	134,987,200
	PROGRAM REVENUE			117,911,500	13,928,000
	FEDERAL			(115,219,000)	(10,000,000)
	OTHER			(2,692,500)	(3,928,000)
	SERVICE			(-0-)	(-0-)
	SEGREGATED FUNDS			2,397,300	11,267,100
	FEDERAL			(-0-)	(-0-)
	OTHER			(2,397,300)	(11,267,100)
	TOTAL-ALL SOURCES			159,076,300	160,182,300
9	20.866 Public debt				
10	(1) BOND SECURITY AND REDEMPTION FUND				
11	(u) Principal repayment and interest	SEG	S	-0-	-0-

STATUTE, AGENCY AND PURPOSE		SOURCE	TYPE	1999-00	2000-01
20.866 DEPARTMENT TOTALS					
SEGREGATED FUNDS				-0-	-0-
OTHER				(-0-)	(-0-)
TOTAL-ALL SOURCES				-0-	-0-
1	20.867 Building commission				
2	(1) STATE OFFICE BUILDINGS				
3	(a) Principal repayment and interest;				
4	housing of state agencies	GPR	S	-0-	-0-
5	(b) Principal repayment and interest;				
6	capitol and executive residence	GPR	S	2,689,600	7,159,000
(1) PROGRAM TOTALS					
GENERAL PURPOSE REVENUES				2,689,600	7,159,000
TOTAL-ALL SOURCES				2,689,600	7,159,000
7	(2) ALL STATE-OWNED FACILITIES				
8	(b) Asbestos removal	GPR	A	-0-	-0-
9	(c) Hazardous materials removal	GPR	A	-0-	-0-
10	(f) Facilities preventive maintenance	GPR	A	-0-	-0-
11	(q) Building trust fund	SEG	C	-0-	-0-
12	(r) Planning and design	SEG	C	-0-	-0-
13	(u) Aids for buildings	SEG	C	-0-	-0-
14	(v) Building program funding				
15	contingency	SEG	C	-0-	-0-
16	(w) Building program funding	SEG	C	-0-	-0-
(2) PROGRAM TOTALS					
GENERAL PURPOSE REVENUES				-0-	-0-
SEGREGATED FUNDS				-0-	-0-

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
	OTHER			(-0-)	(-0-)
	TOTAL-ALL SOURCES			-0-	-0-
1	(3) STATE BUILDING PROGRAM				
2	(a) Principal repayment and interest	GPR	S	-0-	20,013,700
3	(b) Principal repayment and interest	GPR	S	49,900	-0-
4	(bp) Principal repayment, interest and				
5	rebates	GPR	S	-0-	-0-
6	(br) Principal repayment, interest and				
7	rebates	GPR	S	-0-	-0-
8	(c) Lease rental payments	GPR	S	-0-	-0-
9	(d) Interest rebates on obligation				
10	proceeds; general fund	GPR	S	-0-	-0-
11	(e) Principal repayment, interest and				
12	rebates; parking ramp	GPR	S	-0-	-0-
13	(g) Principal repayment, interest and				
14	rebates; program revenues	PR	S	-0-	-0-
15	(h) Principal repayment, interest and				
16	rebates	PR	S	-0-	-0-
17	(i) Principal repayment, interest and				
18	rebates; capital equipment	PR	S	-0-	-0-
19	(k) Interest rebates on obligation				
20	proceeds; program revenues	PR-S	C	-0-	-0-
21	(q) Principal repayment and interest;				
22	segregated revenues	SEG	S	-0-	-0-

	STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1	(r) Interest rebates on obligation				
2	proceeds; conservation fund	SEG	S	–0–	–0–
3	(s) Interest rebates on obligation				
4	proceeds; transportation fund	SEG	S	–0–	–0–
5	(t) Interest rebates on obligation				
6	proceeds; veterans trust fund	SEG	S	–0–	–0–
7	(w) Bonding services	SEG	S	1,024,200	1,024,200
	(3) PROGRAM TOTALS				
	GENERAL PURPOSE REVENUES			49,900	20,013,700
	PROGRAM REVENUE			–0–	–0–
	OTHER			(–0–)	(–0–)
	SERVICE			(–0–)	(–0–)
	SEGREGATED FUNDS			1,024,200	1,024,200
	OTHER			(1,024,200)	(1,024,200)
	TOTAL–ALL SOURCES			1,074,100	21,037,900
8	(4) CAPITAL IMPROVEMENT FUND INTEREST EARNINGS				
9	(q) Funding in lieu of borrowing	SEG	C	–0–	–0–
10	(r) Interest on veterans obligations	SEG	C	–0–	–0–
	(4) PROGRAM TOTALS				
	SEGREGATED FUNDS			–0–	–0–
	OTHER			(–0–)	(–0–)
	TOTAL–ALL SOURCES			–0–	–0–
	20.867 DEPARTMENT TOTALS				
	GENERAL PURPOSE REVENUES			2,739,500	27,172,700
	PROGRAM REVENUE			–0–	–0–
	OTHER			(–0–)	(–0–)
	SERVICE			(–0–)	(–0–)
	SEGREGATED FUNDS			1,024,200	1,024,200
	OTHER			(1,024,200)	(1,024,200)
	TOTAL–ALL SOURCES			3,763,700	28,196,900
11	20.875 Budget stabilization fund				
12	(1) TRANSFERS TO FUND				

STATUTE, AGENCY AND PURPOSE	SOURCE	TYPE	1999-00	2000-01
1 (a) General fund transfer	GPR	A	-0-	-0-
(1) PROGRAM TOTALS				
GENERAL PURPOSE REVENUES			-0-	-0-
TOTAL-ALL SOURCES			-0-	-0-
2 (2) TRANSFERS FROM FUND				
3 (q) Budget stabilization fund transfer	SEG	A	-0-	-0-
(2) PROGRAM TOTALS				
SEGREGATED FUNDS			-0-	-0-
OTHER			(-0-)	(-0-)
TOTAL-ALL SOURCES			-0-	-0-
20.875 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES			-0-	-0-
SEGREGATED FUNDS			-0-	-0-
OTHER			(-0-)	(-0-)
TOTAL-ALL SOURCES			-0-	-0-
General Appropriations FUNCTIONAL AREA TOTALS				
GENERAL PURPOSE REVENUES			1,803,155,200	1,977,826,200
PROGRAM REVENUE			168,911,500	67,928,000
FEDERAL			(115,219,000)	(10,000,000)
OTHER			(2,692,500)	(3,928,000)
SERVICE			(51,000,000)	(54,000,000)
SEGREGATED FUNDS			246,377,700	430,572,700
FEDERAL			(-0-)	(-0-)
OTHER			(246,377,700)	(430,572,700)
SERVICE			(-0-)	(-0-)
LOCAL			(-0-)	(-0-)
TOTAL-ALL SOURCES			2,218,444,400	2,476,326,900
STATE TOTAL			20,680,204,900	21,121,119,400
GENERAL PURPOSE REVENUES			10,616,351,800	11,160,657,000
PROGRAM REVENUE			7,103,160,700	6,830,728,800
FEDERAL			(4,452,979,100)	(4,108,258,100)
OTHER			(1,908,108,400)	(1,967,626,400)
SERVICE			(742,073,200)	(754,844,300)
SEGREGATED FUNDS			2,960,692,400	3,129,733,600
FEDERAL			(632,423,900)	(582,023,000)
OTHER			(2,105,196,400)	(2,330,287,000)
SERVICE			(151,399,100)	(151,853,600)
LOCAL			(71,673,000)	(65,570,000)

1 **SECTION 173.** 20.115 (1) (g) of the statutes is amended to read:

2 20.115 (1) (g) *Related services.* The amounts in the schedule for the conduct of
3 services related to food and trade regulation, including special and overtime meat
4 inspection services under s. 97.42 (3), and investigative and audit services under ss.
5 93.06 (6) (b), 100.06 (1g) (c) and 100.07 (1). ~~All, but excluding services financed under~~
6 ~~pars. (gf) and (h).~~ Except as provided in pars. (gf) and (h), all moneys received from
7 authorized service fees related to food and trade regulation shall be credited to this
8 appropriation.

9 **SECTION 174.** 20.115 (1) (gf) of the statutes is created to read:

10 20.115 (1) (gf) *Fruit and vegetable inspection.* All moneys received for the
11 inspection of fruits and vegetables under ss. 93.06 (1m), 93.09 (10) and 100.03 (3) (a)
12 1. to carry out the purposes for which those moneys are received.

13 **SECTION 175.** 20.115 (1) (gm) of the statutes is amended to read:

14 20.115 (1) (gm) ~~*Dairy trade regulation; dairy product and vegetable producer*~~
15 ~~*security and trade practices.*~~ The amounts in the schedule for the regulation of
16 vegetable procurement under s. 100.03, of dairy plant financial condition under s.
17 100.06 and of dairy trade practices under s. 100.201. All moneys received under ss.
18 100.03 (3) (a) 2. and 3., 100.06 (9) and 100.201 (6) shall be credited to this
19 appropriation.

20 **SECTION 176.** 20.115 (1) (j) of the statutes is amended to read:

21 20.115 (1) (j) *Weights and measures inspection.* The amounts in the schedule
22 for weights and measures inspection, testing and enforcement under ch. 98. All
23 moneys received under ss. 93.06 (1p), 94.64 (4) (a) 6., 94.72 (6) (a) 3., 97.30 (3) (am),
24 98.04 (2), 98.05 (5), 98.16, 98.18 and 98.245 (7) shall be credited to this appropriation.

25 **SECTION 177.** 20.115 (1) (jb) of the statutes is created to read:

1 20.115 (1) (jb) *Consumer information and education.* The amounts in the
2 schedule for consumer protection information and education. All moneys received
3 under s. 100.261 (3) (b) shall be credited to this appropriation account.

4 **SECTION 177s.** 20.115 (2) (c) of the statutes is created to read:

5 20.115 (2) (c) *Financial assistance for paratuberculosis testing.* The amounts
6 in the schedule for financial assistance for paratuberculosis testing under s. 95.197.

7 **SECTION 178.** 20.115 (2) (j) of the statutes is amended to read:

8 20.115 (2) (j) *Dog licenses, rabies control and related services.* The amounts in
9 the schedule to provide dog license tags and forms under s. 174.07 (2), to perform
10 other program responsibilities under ch. 174, to administer the rabies control
11 program under s. 95.21, to help administer the rabies control media campaign and
12 to carry out the humane activities under s. 93.07 (11). All moneys received by the
13 ~~state treasurer~~ under s. ss. 95.21 (9) (c) and 174.09 (1) shall be credited to this
14 appropriation.

15 **SECTION 179.** 20.115 (2) (j) of the statutes, as affected by 1997 Wisconsin Act
16 192 and 1999 Wisconsin Act (this act), is repealed and recreated to read:

17 20.115 (2) (j) *Dog licenses, rabies control and related services.* The amounts in
18 the schedule to provide dog license tags and forms under s. 174.07 (2), to perform
19 other program responsibilities under ch. 174, to administer the rabies control
20 program under s. 95.21, to help administer the rabies control media campaign and
21 to carry out humane activities under s. 93.07 (11) and ch. 173. All moneys received
22 under ss. 95.21 (9) (c), 173.27 and 174.09 (1) shall be credited to this appropriation.

23 **SECTION 179q.** 20.115 (3) (c) of the statutes is created to read:

24 20.115 (3) (c) *Export promotion program.* The amounts in the schedule for
25 promotion of exports of agricultural products.

1 **SECTION 180.** 20.115 (3) (g) of the statutes is amended to read:

2 20.115 **(3)** (g) *Related services.* The amounts in the schedule for the conduct of
3 authorized marketing services, ~~except services financed under par. (h).~~ ~~Except as~~
4 ~~provided in par. (h), all.~~ All moneys received from authorized fees related to
5 marketing services, ~~including moneys received for inspection, grading and~~
6 ~~certification of fruits and vegetables under ss. 93.06 (1m), 93.09 (10) and 100.03 (3)~~
7 ~~(a) 1. and 2.,~~ shall be credited to this appropriation account.

8 **SECTION 181.** 20.115 (3) (h) of the statutes is renumbered 20.115 (1) (h).

9 **SECTION 182.** 20.115 (4) (cd) of the statutes is created to read:

10 20.115 **(4)** (cd) *Federal dairy policy reform.* Biennially, the amounts in the
11 schedule to provide assistance to organizations to reform federal dairy pricing
12 policies under s. 93.06 (12).

13 **SECTION 183.** 20.115 (4) (cd) of the statutes, as created by 1999 Wisconsin Act
14 (this act), is repealed.

15 **SECTION 183tm.** 20.115 (7) (b) of the statutes is created to read:

16 20.115 **(7)** (b) *Principal repayment and interest, conservation reserve*
17 *enhancement.* A sum sufficient to reimburse s. 20.866 (1) (a) for the principal and
18 interest costs incurred in financing the conservation reserve enhancement program
19 under s. 20.866 (2) (wf) and to make the payments determined by the building
20 commission under s. 13.488 (1) (m) that are attributable to the proceeds of
21 obligations incurred in financing those projects.

22 **SECTION 184.** 20.115 (7) (d) of the statutes is created to read:

23 20.115 **(7)** (d) *Drainage board grants.* The amounts in the schedule for grants
24 to drainage boards under s. 88.15. No moneys may be encumbered from this
25 appropriation after June 30, 2004.

1 **SECTION 184c.** 20.115 (7) (dr) of the statutes is created to read:

2 20.115 (7) (dr) *Town of Troy grant, purchase of development rights.* Biennially,
3 the amounts in the schedule for a grant to the town of Troy for the purchase of
4 development rights to agricultural land within the town under s. 60.615. No moneys
5 may be encumbered from this appropriation after the first day of the 12th month
6 beginning after the effective date of this paragraph [revisor inserts date].

7 **SECTION 184e.** 20.115 (7) (e) of the statutes is repealed.

8 **SECTION 185.** 20.115 (7) (ga) of the statutes is amended to read:

9 20.115 (7) (ga) *Related services.* All moneys received from publication sales and
10 service fees authorized by law that are related to agricultural resource management,
11 from fees under s. 94.50 and from costs paid by municipalities under s. 88.64 (6), for
12 the publication of informational materials and the conduct of services related to
13 agricultural resource management.

14 **SECTION 186.** 20.115 (7) (gb) of the statutes is created to read:

15 20.115 (7) (gb) *Agricultural resource management; gifts and grants.* All moneys
16 received from gifts, grants and bequests for the agricultural resource management
17 purposes under chs. 88 and 91 to 94 to carry out the purposes for which made.

18 **SECTION 187.** 20.115 (7) (j) of the statutes is repealed.

19 **SECTION 188.** 20.115 (7) (ja) of the statutes is created to read:

20 20.115 (7) (ja) *Plant protection.* All moneys received under s. 94.10 (2), (3) and
21 (3g) for plant protection, including nursery regulation and the detection and control
22 of plant pests.

23 **SECTION 188f.** 20.115 (7) (km) of the statutes is repealed.

24 **SECTION 189.** 20.115 (7) (qc) of the statutes is created to read:

1 20.115 (7) (qc) *Plant protection; conservation fund.* From the conservation
2 fund, the amounts in the schedule for plant protection, including nursery regulation
3 and control of plant pests.

4 **SECTION 189e.** 20.115 (7) (uc) of the statutes is created to read:

5 20.115 (7) (uc) *Pesticide sales and use reporting system administration.* From
6 the agrichemical management fund, as a continuing appropriation, the amounts in
7 the schedule for the development and administration of the pesticide sales and use
8 reporting system under s. 94.695.

9 **SECTION 189g.** 20.115 (7) (ue) of the statutes is created to read:

10 20.115 (7) (ue) *Pesticide sales and use reporting system development.* From the
11 environmental fund, as a continuing appropriation, the amounts in the schedule to
12 contract for assistance in developing the pesticide sales and use reporting system
13 under s. 94.695.

14 **SECTION 190.** 20.115 (8) (g) of the statutes is amended to read:

15 20.115 (8) (g) *Gifts and grants.* Except as provided in sub. subs. (2) (gb) or (3)
16 (ga), (4) (i) and (7) (gb), all moneys received from gifts and grants to carry out the
17 purposes for which made.

18 **SECTION 191.** 20.115 (8) (ga) of the statutes is amended to read:

19 20.115 (8) (ga) *Milk standards program.* All moneys received as payment for
20 milk standards produced and used in the calibration and verification of instruments
21 used for milk component testing and related costs for the milk standards program.
22 ~~On June 30, 1990, 1991, 1992, 1993 and 1994, the department shall make payments,~~
23 ~~of at least \$10,000 each year, to the general fund from this appropriation for the~~
24 ~~purpose of reimbursing milk standards program start-up costs. The payments shall~~
25 ~~total an amount equal to \$142,200 by June 30, 1994.~~

1 **SECTION 192.** 20.115 (8) (j) of the statutes is created to read:

2 20.115 **(8)** (j) *Electronic processing.* All moneys received under s. 93.06 (1n) to
3 be used for electronic processing authorized under s. 93.06 (1n) (a) and (b).

4 **SECTION 193.** 20.115 (8) (k) of the statutes is amended to read:

5 20.115 **(8)** (k) *Computer system equipment, staff and services.* The amounts in
6 the schedule for the costs of computer system equipment, staff and services. All
7 moneys transferred for this purpose from pars. (ga), (gm), (h), (ha), (i), (kp), (ks), (m)
8 and (pz) and subs. (1) (g), (gb), (gh), (gm), (hm), (j), (jm), (m), (r) and (s), (2) (g), (ha),
9 (j), (k) and (m), (3) (g), (h), (i), (j), (ja), (L) and (m) and (7) (g), (ga), (gm), (k) and (m)
10 received from the department for those purposes shall be credited to this
11 appropriation account.

12 **SECTION 193m.** 20.115 (8) (kt) of the statutes is repealed.

13 **SECTION 195c.** 20.143 (1) (br) (title) of the statutes is amended to read:

14 20.143 **(1)** (br) (title) *Brownfields and groundwater contamination grant*
15 *program; general purpose revenue.*

16 **SECTION 196.** 20.143 (1) (c) of the statutes, as affected by 1997 Wisconsin Act
17 237, section 24, and 1997 Wisconsin Act 310, section 1c, is repealed and recreated to
18 read:

19 20.143 **(1)** (c) *Wisconsin development fund; grants, loans, reimbursements and*
20 *assistance.* Biennially, the amounts in the schedule for grants under ss. 560.081 (3),
21 560.083, 560.145, 560.16, 560.175, 560.26 and 560.28 (2) (a); for grants and loans
22 under ss. 560.62, 560.63 and 560.66; for loans under s. 560.147; for reimbursements
23 under s. 560.167; for providing assistance under s. 560.06; for the costs specified in
24 s. 560.607; for the loan under 1999 Wisconsin Act (this act), section 9110 (4); and
25 for the grants under 1995 Wisconsin Act 27, section 9116 (7gg), 1995 Wisconsin Act

1 119, section 2 (1), 1997 Wisconsin Act 27, section 9110 (6g), and 1999 Wisconsin Act
2 (this act), section 9110 (5). Of the amounts in the schedule, \$50,000 shall be
3 allocated in each of fiscal years 1997–98 and 1998–99 for providing the assistance
4 under s. 560.06 (1). Notwithstanding s. 560.607, of the amounts in the schedule,
5 \$125,000 shall be allocated in each of 4 consecutive fiscal years, beginning with fiscal
6 year 1998–99, for grants and loans under s. 560.62 (1) (a).

7 **SECTION 197.** 20.143 (1) (df) of the statutes is renumbered 20.143 (1) (kf) and
8 amended to read:

9 20.143 (1) (kf) *American Indian economic development; technical assistance.*

10 The amounts in the schedule for grants under s. 560.875 (1). All moneys transferred
11 from the appropriation account under s. 20.505 (8) (hm) 6f. shall be credited to this
12 appropriation account.

13 **SECTION 198.** 20.143 (1) (dg) of the statutes is renumbered 20.143 (1) (kg) and
14 amended to read:

15 20.143 (1) (kg) *American Indian economic development; liaison.* The amounts
16 in the schedule for the American Indian economic liaison program under s. 560.87,
17 other than for grants under s. 560.87 (6). All moneys transferred from the
18 appropriation account under s. 20.505 (8) (hm) 6g. shall be credited to this
19 appropriation account.

20 **SECTION 199.** 20.143 (1) (dh) of the statutes is renumbered 20.143 (1) (kh) and
21 amended to read:

22 20.143 (1) (kh) *American Indian economic development; liaison — grants.* The
23 amounts in the schedule for grants under s. 560.87 (6). All moneys transferred from
24 the appropriation account under s. 20.505 (8) (hm) 6h. shall be credited to this
25 appropriation account.

1 **SECTION 202.** 20.143 (1) (f) of the statutes is renumbered 20.143 (1) (kr) and
2 amended to read:

3 20.143 (1) (kr) *Physician and health care provider loan assistance programs,*
4 *repayments and contract. As a continuing appropriation, the amounts in the*
5 *schedule All moneys transferred from the appropriation account under s. 20.505 (8)*
6 *(hm) 6r. and all moneys transferred under 1999 Wisconsin Act ... (this act), section*
7 *9210 (1).* for loan repayments under ss. 560.183 and 560.184 and for contracting
8 under ss. 560.183 (8) and 560.184 (7).

9 **SECTION 202g.** 20.143 (1) (fg) of the statutes is amended to read:

10 20.143 (1) (fg) *Community-based economic development programs. The*
11 *amounts in the schedule for grants under ss. 560.037 and 560.14 and for the grant*
12 *grants under 1993 Wisconsin Act 16, section 9115 (1c) and 1999 Wisconsin Act ...*
13 *(this act), section 9110 (6e) and (7v).*

14 **SECTION 203.** 20.143 (1) (id) of the statutes is created to read:

15 20.143 (1) (id) *Gaming economic diversification grants and loans; repayments.*
16 *The amounts in the schedule for grants and loans under s. 560.138. All moneys*
17 *received in repayment of loans under s. 560.138 shall be credited to this*
18 *appropriation account.*

19 **SECTION 204.** 20.143 (1) (ie) of the statutes is amended to read:

20 20.143 (1) (ie) *Wisconsin development fund, repayments. All moneys received*
21 *in repayment of grants or loans under s. 560.085 (4) (b), 1985 stats., s. 560.147, s.*
22 *560.16, 1995 stats., s. 560.165, 1993 stats., subch. V of ch. 560 except s. 560.65, 1989*
23 *Wisconsin Act 336, section 3015 (1m), 1989 Wisconsin Act 336, section 3015 (2m),*
24 *1989 Wisconsin Act 336, section 3015 (3gx), 1997 Wisconsin Act 27, section 9110 (7f),*
25 *and 1997 Wisconsin Act 310, section 2 (2d), and 1999 Wisconsin Act ... (this act).*

1 section 9110 (4), to be used for grants and loans under subch. V of ch. 560 except s.
2 560.65, for loans under s. 560.147, for grants under s. ss. 560.081 (3), 560.16, 560.175
3 and 560.25, for assistance under s. 560.06 (2), for the loans loan under 1997
4 Wisconsin Act 27 1999 Wisconsin Act (this act), section 9110 (7f), and 1997
5 Wisconsin Act 310, section 2 (2d) (4), and for reimbursements under s. 560.167.

6 **SECTION 205.** 20.143 (1) (ig) of the statutes is created to read:

7 20.143 (1) (ig) *Gaming economic development grants and loans; repayments.*

8 The amounts in the schedule for grants and loans under s. 560.137. All moneys
9 received in repayment of loans under s. 560.137 shall be credited to this
10 appropriation account.

11 **SECTION 207.** 20.143 (1) (kj) of the statutes is created to read:

12 20.143 (1) (kj) *Gaming economic development grants and loans.* The amounts
13 in the schedule for grants and loans under s. 560.137, for marketing the program
14 under s. 560.137, for the grants under s. 560.139, for the grants to Brown County
15 under 1999 Wisconsin Act (this act), section 9110 (1), and for the grant under 1999
16 Wisconsin Act (this act), section 9110 (6c). From this appropriation, the
17 department may expend in each fiscal year for marketing the program under s.
18 560.137 no more than the difference between \$100,000 and the amount that the
19 department spends in the same fiscal year from the appropriation under par. (km)
20 for marketing the program under s. 560.138. All moneys transferred from the
21 appropriation account under s. 20.505 (8) (hm) 6j. shall be credited to this
22 appropriation account.

23 **SECTION 208.** 20.143 (1) (kj) of the statutes, as created by 1999 Wisconsin Act
24 (this act), is amended to read:

1 20.143 (1) (kj) *Gaming economic development grants and loans.* The amounts
2 in the schedule for grants and loans under s. 560.137, for marketing the program
3 under s. 560.137, ~~and for the grants under s. 560.139, for the grants to Brown County~~
4 ~~under 1999 Wisconsin Act (this act), section 9110, and for the grant under 1999~~
5 ~~Wisconsin Act (this act), section 9110 (6e).~~ From this appropriation, the
6 department may expend in each fiscal year for marketing the program under s.
7 560.137 no more than the difference between \$100,000 and the amount that the
8 department spends in the same fiscal year from the appropriation under par. (km)
9 for marketing the program under s. 560.138. All moneys transferred from the
10 appropriation account under s. 20.505 (8) (hm) 6j. shall be credited to this
11 appropriation account.

12 **SECTION 209.** 20.143 (1) (km) of the statutes is created to read:

13 20.143 (1) (km) *Gaming economic diversification grants and loans.* The
14 amounts in the schedule for grants and loans under s. 560.138, for marketing the
15 program under s. 560.138, for the grants under s. 560.139 and for the grant under
16 1999 Wisconsin Act (this act), section 9110 (7h). From this appropriation, the
17 department may expend in each fiscal year for marketing the program under s.
18 560.138 no more than the difference between \$100,000 and the amount that the
19 department spends in the same fiscal year from the appropriation under par. (kj) for
20 marketing the program under s. 560.137. All moneys transferred from the
21 appropriation account under s. 20.505 (8) (hm) 6m. shall be credited to this
22 appropriation account.

23 **SECTION 210f.** 20.143 (1) (L) of the statutes is amended to read:

24 20.143 (1) (L) *Recycling market development; repayments.* All moneys received
25 in repayment of loans awarded by the recycling market development board under s.

1 287.46 (1) ~~and, 1997 stats., and s. 560.031~~, received under s. 287.46 (3), 1997 stats.,
2 in repayment of loans made by recipients of financial assistance awarded by ~~the~~
3 ~~recycling market development board~~ under s. 287.46 (1), 1997 stats., and received in
4 repayment of loans under s. 560.835, to be used to provide financial assistance under
5 ~~subch. III of ch. 287 s. 560.031 (3) and (4)~~.

6 **SECTION 212d.** 20.143 (1) (qm) of the statutes is amended to read:

7 20.143 (1) (qm) *Brownfields and groundwater contamination grant program;*
8 *environmental fund.* From the environmental fund, the amounts in the schedule for
9 grants under s. 560.13 and for the grant under 1999 Wisconsin Act (this act).
10 section 9110 (8gm).

11 **SECTION 213.** 20.143 (1) (s) of the statutes is repealed.

12 **SECTION 214.** 20.143 (1) (sm) of the statutes is repealed.

13 **SECTION 215f.** 20.143 (1) (tm) of the statutes is amended to read:

14 20.143 (1) (tm) *Recycling market development board; contracts and; financial*
15 *assistance.* Biennially, from the recycling fund, the amounts in the schedule for
16 ~~recycling market development board contracts under s. 287.42 (3) and (3m) and~~
17 ~~financial assistance under subch. III of ch. 287 s. 560.031 (3)~~, for the costs related to
18 the materials exchange program under s. 560.031 (6) and for the grant under 1999
19 Wisconsin Act (this act), section 9110 (7rm).

20 **SECTION 216g.** 20.143 (3) (j) of the statutes is amended to read:

21 20.143 (3) (j) *Safety and building operations.* The amounts in the schedule for
22 the purposes of ~~subchs. I, II, III, IV and VI of ch. chs.~~ chs. 101, ~~chs.~~ 145 and 168 and ss.
23 236.12 (2) (a), 236.13 (1) (d) and (2m) and 236.335. All moneys received under ch. 145
24 and ss. 101.177 (4) (a) 4., 101.178, 101.19, 101.63 (9), 101.654 (3), 101.73 (12), 101.82

1 (4), 101.9205 (3), 101.9208 (1) (b), 101.9213 (8), 101.935, 101.951 (2), 101.952 (2),
2 101.955 (2), 101.973 (7) and 236.12 (7) shall be credited to this appropriation.

3 **SECTION 216m.** 20.143 (3) (Lm) of the statutes is created to read:

4 20.143 (3) (Lm) *Petroleum storage remedial action fees.* The amounts in the
5 schedule for the administration of ss. 101.143 and 101.144. All moneys received
6 under s. 101.143 (2) (L) shall be credited to this appropriation account.

7 **SECTION 217.** 20.143 (3) (s) of the statutes is created to read:

8 20.143 (3) (s) *Petroleum inspection fund — revenue obligation proceeds.* As a
9 continuing appropriation, all proceeds from revenue obligations that are issued
10 under subch. II or IV of ch. 18, authorized under s. 101.143 (9m) and deposited in a
11 fund in the state treasury created under s. 18.57 (1), to provide for reserves and for
12 expenses of issuance and management of the revenue obligations, and the remainder
13 to be transferred to the petroleum inspection fund for the purposes of the petroleum
14 storage remedial action program under s. 101.143. Estimated disbursements under
15 this paragraph shall not be included in the schedule under s. 20.005.

16 **SECTION 217cr.** 20.143 (3) (sa) of the statutes is created to read:

17 20.143 (3) (sa) *Administration of mobile homes.* From the transportation fund,
18 the amounts in the schedule for administration of subch. V of ch. 101.

19 **SECTION 218.** 20.143 (3) (t) of the statutes is created to read:

20 20.143 (3) (t) *Petroleum inspection fund — revenue obligation repayment.* From
21 the petroleum inspection fund, a sum sufficient to repay the fund in the state
22 treasury created under s. 18.57 (1), or the separate and distinct fund outside the state
23 treasury under s. 18.562 (3) and (5) (e), the amount needed to retire revenue
24 obligations issued under subch. II or IV of ch. 18, as authorized under s. 101.143 (9m).

25 **SECTION 219.** 20.143 (3) (u) of the statutes is created to read:

1 20.143 (3) (u) *Revenue obligation debt service -- petroleum inspection fund.*

2 From the fund in the state treasury created under s. 18.57 (1), all moneys received
3 by the fund for the purpose of the retirement of revenue obligations, providing for
4 reserves and for operations relating to the management and retirement of revenue
5 obligations issued under subch. II or IV of ch. 18, as authorized under s. 101.143 (9m).
6 All moneys received by the fund are irrevocably appropriated in accordance with
7 subch. II of ch. 18 and further established in resolutions authorizing the issuance of
8 the revenue obligations and setting forth the distribution of funds to be received
9 thereafter. Estimated disbursements under this paragraph shall not be included in
10 the schedule under s. 20.005.

11 **SECTION 220.** 20.143 (3) (v) of the statutes is amended to read:

12 20.143 (3) (v) *Petroleum storage environmental remedial action; awards.*
13 Biennially, from the petroleum inspection fund, the amounts in the schedule to pay
14 awards under s. 101.143 and, legal costs incurred under s. 101.143 (7m), amounts
15 to reduce principal of outstanding revenue obligations issued pursuant to s. 101.143
16 (9m) and, if the department promulgates rules under s. 101.143 (2) (i) 1., to purchase,
17 or provide funding to purchase, insurance described in s. 101.143 (2) (i) 2.

18 **SECTION 221.** 20.143 (3) (vb) of the statutes is created to read:

19 20.143 (3) (vb) *Petroleum storage environmental remedial action revenue*
20 *bonding; awards.* From the petroleum inspection fund, a sum sufficient not to exceed
21 the net proceeds of special fund obligations issued pursuant to s. 101.143 (9m) to pay
22 awards under s. 101.143 (4) and legal costs incurred under s. 101.143 (7m).
23 Estimated disbursements under this paragraph shall not be included in the schedule
24 under s. 20.005.

25 **SECTION 221m.** 20.143 (4) (kc) of the statutes is repealed.

1 **SECTION 222.** 20.144 (1) (g) of the statutes is amended to read:

2 20.144 (1) (g) *General program operations.* The amounts in the schedule for the
3 general program operations of the department of financial institutions. Except as
4 provided in pars.(a), (h), (i) and (u), all moneys received by the department, other
5 than by the office of credit unions, the division of banking and the division of savings
6 and loan institutions, and 88% of all moneys received by the department's division
7 of banking and the department's division of savings and loan institutions shall be
8 credited to this appropriation, but any balance at the close of a fiscal year exceeding
9 10% of the previous fiscal year's expenditures under this appropriation shall lapse
10 to the general fund. Annually, \$200,000 of the amounts received under this
11 appropriation account shall be transferred to the appropriation account under
12 s.20.575 (1) (g).

13 **SECTION 222m.** 20.155 (1) (jm) of the statutes is created to read:

14 20.155 (1) (jm) *Stray voltage research.* The amounts in the schedule for stray
15 voltage research. All moneys received by the commission from public utilities and
16 electric cooperatives under s. 196.856 shall be credited to this appropriation.
17 Annually, \$175,000 of the amounts received under this appropriation account shall
18 be transferred to the appropriation account under s. 20.285 (1) (kv) and \$25,000 of
19 the amounts received under this appropriation account shall be transferred to the
20 appropriation account under s. 20.435 (1) (kx).

21 **SECTION 225.** 20.155 (1) (Lb) of the statutes is amended to read:

22 20.155 (1) (Lb) *Gifts for stray voltage program.* All moneys received from gifts
23 and grants for the purpose of the stray voltage program to carry out the purpose for
24 which received.

25 **SECTION 226.** 20.155 (1) (Lm) of the statutes is created to read:

1 20.155 (1) (Lm) *Consumer education and awareness.* All moneys received from
2 gifts, grants, orders, judgments and settlements for consumer education and
3 awareness to carry out the purpose for which received.

4 **SECTION 226c.** 20.155 (1) (q) of the statutes is amended to read:

5 20.155 (1) (q) *Universal telecommunications service.* ~~Biennially, from~~ From the
6 universal service fund, the amounts in the schedule for the promotion of universal
7 telecommunications service for the purposes specified in s. 196.218 (5) (a) 1. to 4., 8.,
8 9. and 10. Annually, \$100,000 shall be transferred to the department of health and
9 family services under the appropriation account under s. 20.435 (6) (kd).

10 **SECTION 226e.** 20.165 (1) (i) of the statutes is amended to read:

11 20.165 (1) (i) *Examinations; general program operations.* ~~All~~ Ninety percent
12 of all moneys received under s. 440.05 (1) (b) for the purposes of preparing,
13 administering and grading examinations. Notwithstanding s. 20.001 (3) (c), any
14 unencumbered balance in this appropriation account, excluding any amount
15 specified by the secretary of administration that is reserved for the payment of future
16 employe compensation or fringe benefit costs, at the end of each fiscal year which
17 exceeds 30% of the estimated amount shown in the schedule under s. 20.005 for that
18 fiscal year shall be transferred to the appropriation account under par. (g).

19 **SECTION 226g.** 20.215 (1) (b) of the statutes, as affected by 1997 Wisconsin Act
20 237, is amended to read:

21 20.215 (1) (b) *State aid for the arts.* The amounts in the schedule for
22 grants-in-aid or contract payments to groups, individuals, organizations and
23 institutions by the arts board under s. 44.53 (1) (f) and (2) (a) ~~and,~~ for grants and loans
24 related to arts incubators under s. 44.60 and for the grant under 1999 Wisconsin Act
25 (this act), section 9105 (1c).

1 **SECTION 226m.** 20.215 (1) (e) of the statutes is created to read:

2 20.215 (1) (e) *High Point fund.* The amounts in the schedule for a grant to the
3 Milwaukee Foundation, Inc., for deposit in the High Point fund under s. 44.53 (1) (j).

4 **SECTION 226n.** 20.215 (1) (fm) of the statutes is created to read:

5 20.215 (1) (fm) *Portage County Arts Alliance.* The amounts in the schedule for
6 a grant to the city of Stevens Point arts council for development of the Portage County
7 Arts Alliance under 1999 Wisconsin Act (this act), section 9105 (2w). No moneys
8 may be encumbered from this appropriation after June 30, 2000.

9 **SECTION 226p.** 20.215 (1) (kb) of the statutes is repealed.

10 **SECTION 227.** 20.215 (1) (km) of the statutes is created to read:

11 20.215 (1) (km) *State aid for the arts; Indian gaming receipts.* The amounts in
12 the schedule for grants-in-aid or contract payments to American Indian groups,
13 individuals, organizations and institutions under s. 44.53 (1) (fm) and (2) (am). All
14 moneys transferred from the appropriation account under s. 20.505 (8) (hm) 4b. shall
15 be credited to this appropriation account.

16 **SECTION 239m.** 20.225 (1) (ka) of the statutes is repealed.

17 **SECTION 242.** 20.235 (1) (fb) of the statutes is renumbered 20.235 (1) (k) and
18 amended to read:

19 20.235 (1) (k) *Indian student assistance.* Biennially, the amounts in the
20 schedule to carry out the purposes of s. 39.38. All moneys transferred from the
21 appropriation account under s. 20.505 (8) (hm) 4i. shall be credited to this
22 appropriation account.

23 **SECTION 242g.** 20.235 (1) (fd) of the statutes is amended to read:

1 20.235 (1) (fd) *Talent incentive grants. Biennially, the amounts in the schedule*
2 A sum sufficient equal to the amount determined under s. 39.435 (8) for talent
3 incentive grants under s. 39.435 (2).

4 **SECTION 242r.** 20.235 (1) (fe) of the statutes is amended to read:

5 20.235 (1) (fe) *Wisconsin higher education grants; University of Wisconsin*
6 *System students. Biennially, the amounts in the schedule* A sum sufficient equal to
7 the amount determined under s. 39.435 (7) for the Wisconsin higher education grant
8 program under s. 39.435 for University of Wisconsin System students, except for
9 grants awarded under s. 39.435 (2) or (5).

10 **SECTION 244.** 20.235 (1) (km) of the statutes is created to read:

11 20.235 (1) (km) *Wisconsin higher education grants; tribal college students.*
12 Biennially, the amounts in the schedule for the Wisconsin higher education grant
13 program under s. 39.435 for tribal college students, except for grants awarded under
14 s. 39.435 (2) or (5). All moneys transferred from the appropriation account under s.
15 20.505 (8) (hm) 10. shall be credited to this appropriation account.

16 **SECTION 244m.** 20.235 (2) (ka) of the statutes is repealed.

17 **SECTION 245m.** 20.235 (3) of the statutes is renumbered 20.485 (5), and 20.485
18 (5) (g), as renumbered, is amended to read:

19 20.485 (5) (g) *Proprietary school programs.* The amounts in the schedule for
20 the examination and approval of proprietary school programs. All moneys received
21 from the issuance of solicitor's permits under s. ~~39.51~~ 45.54 (8) and fees under s. ~~39.51~~
22 45.54 (10) shall be credited to this appropriation.

23 **SECTION 246m.** 20.245 (1) (b) of the statutes is repealed.

24 **SECTION 246p.** 20.245 (1) (c) of the statutes is created to read:

1 20.245 (1) (c) *Restoration of the state capitol; CD-ROM.* Biennially, the
2 amounts in the schedule to produce a CD-ROM about the restoration of the state
3 capitol under s. 44.34 (13).

4 **SECTION 247.** 20.245 (2) (km) of the statutes is created to read:

5 20.245 (2) (km) *Northern Great Lakes Center.* The amounts in the schedule for
6 the operation of the Northern Great Lakes Center. All moneys transferred from the
7 appropriation account under s. 20.505 (8) (hm) 4h. shall be credited to this
8 appropriation account.

9 **SECTION 247c.** 20.245 (3) (b) of the statutes is created to read:

10 20.245 (3) (b) *Plover Heritage Park.* Biennially, the amounts in the schedule
11 for a grant to the Portage County historical society under 1999 Wisconsin Act (this
12 act), section 9124 (1x).

13 **SECTION 247d.** 20.245 (3) (c) of the statutes is created to read:

14 20.245 (3) (c) *Neenah clock tower project.* Biennially, the amounts in the
15 schedule for a grant to the city of Neenah under s. 44.02 (28). No moneys may be
16 encumbered from this appropriation after June 30, 2001.

17 **SECTION 247g.** 20.245 (3) (e) of the statutes is created to read:

18 20.245 (3) (e) *Principal repayment, interest and rebates.* A sum sufficient to
19 reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred
20 in financing the grants under s. 44.49, and to make the payments determined by the
21 building commission under s. 13.488 (1) (m) that are attributable to the proceeds of
22 obligations incurred in financing the grants under s. 44.49.

23 **SECTION 247k.** 20.245 (4) (f) of the statutes is repealed.

24 **SECTION 247m.** 20.245 (4) (ka) of the statutes is repealed.

1 **SECTION 248.** 20.245 (4) (y) of the statutes is renumbered 20.245 (2) (y), and
2 20.245 (2) (y) (title), as renumbered, is amended to read:

3 20.245 (2) (y) (title) *Northern Great Lakes Center; interpretive programming.*

4 **SECTION 249.** 20.250 (1) (c) of the statutes is repealed.

5 **SECTION 250m.** 20.250 (1) (k) of the statutes is created to read:

6 20.250 (1) (k) *Tobacco-related illnesses.* All moneys received from the tobacco
7 control board under s. 255.15 (3) (a) 4., for tobacco use prevention and cessation
8 activities.

9 **SECTION 250p.** 20.255 (1) (b) of the statutes is amended to read:

10 20.255 (1) (b) *General program operations; residential schools School for the*
11 *Deaf and Center for the Blind and Visually Impaired.* The amounts in the schedule
12 for the operation and maintenance of the Wisconsin schools School for the deaf Deaf
13 and the visually handicapped Wisconsin Center for the Blind and Visually Impaired,
14 the matching of federal funds, but not including expenses financed under par. (js).
15 All moneys received in reimbursement for services rendered institutional employes,
16 participants in institutes and training programs and visitors at the state schools for
17 the deaf and the visually handicapped under s. 115.52 (6), except reimbursements
18 credited under par. (js), shall be refunded to the appropriation made by this
19 paragraph. ~~Such reimbursements shall be accumulated in an account named~~
20 ~~“maintenance credits”.~~

21 **SECTION 250q.** 20.255 (1) (c) of the statutes is amended to read:

22 20.255 (1) (c) *Energy costs; School for the Deaf and Center for the Blind and*
23 *Visually Impaired.* The amounts in the schedule to be used at the schools Wisconsin
24 School for the deaf Deaf and visually handicapped the Wisconsin Center for the Blind
25 and Visually Impaired to pay for utilities and for fuel, heat and air conditioning, to

1 pay costs incurred by or on behalf of the department under ss. 16.858 and 16.895, and
2 to repay to the energy efficiency fund loans made to the department under s. 16.847
3 (6).

4 **SECTION 250r.** 20.255 (1) (d) of the statutes is amended to read:

5 20.255 (1) (d) *Principal repayment and interest.* A sum sufficient to reimburse
6 s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing
7 the acquisition, construction, development, enlargement or improvement of
8 institutional facilities for individuals with hearing impairments and ~~visual~~
9 ~~impairments~~ under s. 115.52, individuals with visual impairments under s. 115.525
10 and reference and loan library facilities under s. 43.05 (11).

11 **SECTION 250s.** 20.255 (1) (gb) of the statutes is amended to read:

12 20.255 (1) (gb) ~~Residential schools~~ School for the Deaf and Center for the Blind
13 and Visually Impaired; nonresident fees. All moneys received from fees charged
14 nonresident pupils ~~under s. 115.52 (3)~~ for services provided at the residential schools
15 Wisconsin School for the Deaf under s. 115.52 (3) and for services provided by the
16 Wisconsin Center for the Blind and Visually Impaired under s. 115.525 (3) (a) 3.

17 **SECTION 250t.** 20.255 (1) (gh) of the statutes is created to read:

18 20.255 (1) (gh) *School for the Deaf and Center for the Blind and Visually*
19 *Impaired; hospitalization.* All moneys received on account of hospitalization under
20 s. 115.53 (4) for the operation of the Wisconsin School for the Deaf and the Wisconsin
21 Center for the Blind and Visually Impaired.

22 **SECTION 250u.** 20.255 (1) (gL) of the statutes is created to read:

23 20.255 (1) (gL) *Center for the Blind and Visually Impaired; leasing of space.*
24 All moneys received from leasing space at the Wisconsin Center for the Blind and

1 Visually Impaired under s. 115.525 (6) for the operation and maintenance of the
2 center.

3 **SECTION 250v.** 20.255 (1) (gs) of the statutes is created to read:

4 20.255 (1) (gs) *School for the Deaf and Center for the Blind and Visually*
5 *Impaired; services.* All moneys received from services provided at the Wisconsin
6 School for the Deaf under s. 115.52 (6) and at the Wisconsin Center for the Blind and
7 Visually Impaired under s. 115.525 (5) for the operation and maintenance of the
8 school and the center.

9 **SECTION 250w.** 20.255 (1) (gt) of the statutes is amended to read:

10 20.255 (1) (gt) *Residential schools School for the Deaf and Center for the Blind*
11 *and Visually Impaired; pupil transportation.* The amounts in the schedule for the
12 weekend transportation of pupils enrolled in the residential schools under subch. III
13 of ch. 115 Wisconsin School for the Deaf under s. 115.52 or the school operated by the
14 Wisconsin Center for the Blind and Visually Impaired under s. 115.525 to and from
15 their homes. All moneys received under s. 115.53 (6) shall be credited to this
16 appropriation.

17 **SECTION 252.** 20.255 (1) (hr) of the statutes is renumbered 20.255 (1) (kd) and
18 amended to read:

19 20.255 (1) (kd) *Alcohol and other drug abuse program.* ~~All moneys received~~
20 ~~under s. 165.87 (1)~~ The amounts in the schedule for the purpose of s. 115.36 (2) and
21 the administration of s. 115.36 (3). All moneys transferred from the appropriation
22 account under s. 20.505 (6) (j) 4. shall be credited to this appropriation account.

23 **SECTION 252m.** 20.255 (1) (kt) of the statutes is repealed.

24 **SECTION 252p.** 20.255 (1) (q) of the statutes is created to read:

1 20.255 (1) (q) *Agricultural education consultant.* From the agricultural
2 chemical cleanup fund, the amounts in the schedule for an agricultural education
3 consultant at the department of public instruction.

4 **SECTION 253.** 20.255 (2) (ac) of the statutes is amended to read:

5 20.255 (2) (ac) *General equalization aids.* A sum sufficient for the payment of
6 educational aids under ss. 121.08, 121.09 and 121.105 and subch. VI of ch. 121 equal
7 to \$3,318,488,800 in the 1997–98 fiscal year, equal to \$3,460,133,800 in the 1998–99
8 \$3,767,893,500 in the 1999–2000 fiscal year and equal to the amount determined by
9 the joint committee on finance under s. 121.15 (3m) (c) in each fiscal year thereafter,
10 less the amount appropriated under par. (bi).

11 **SECTION 253c.** 20.255 (2) (ad) of the statutes is created to read:

12 20.255 (2) (ad) *Supplemental aid.* The amounts in the schedule for aid to school
13 districts under s. 115.435.

14 **SECTION 254.** 20.255 (2) (b) of the statutes is amended to read:

15 20.255 (2) (b) *Aids for special education and school age parents programs.* The
16 amounts in the schedule for the payment of aids for public and private school pupils
17 special education and school age parents programs under ss. 115.88, 115.93 and
18 118.255.

19 **SECTION 254m.** 20.255 (2) (bc) of the statutes is amended to read:

20 20.255 (2) (bc) *Aid for children-at-risk programs and residential school*
21 *planning grant.* The amounts in the schedule for aid for children-at-risk programs
22 under s. 118.153 and, in the 1999–2000 fiscal year, the residential school planning
23 grant under 1999 Wisconsin Act (this act), section 9139 (3x) (b).

24 **SECTION 255m.** 20.255 (2) (cf) of the statutes is created to read:

1 20.255 (2) (cf) *Alternative education grants*. The amounts in the schedule for
2 alternative education grants under s. 115.366.

3 **SECTION 256.** 20.255 (2) (ci) of the statutes is renumbered 20.255 (2) (km) and
4 amended to read:

5 20.255 (2) (km) *Alternative school American Indian language and culture*
6 *education aid*. The amounts in the schedule for the payment of aid to alternative
7 schools for American Indian language and culture education programs under s.
8 115.75. All moneys transferred from the appropriation account under s. 20.505 (8)
9 (hm) 11. shall be credited to this appropriation account.

10 **SECTION 256m.** 20.255 (2) (cm) of the statutes is amended to read:

11 20.255 (2) (cm) *Grants Reimbursement for school breakfast programs*. As a
12 continuing appropriation, the amounts in the schedule for grants reimbursement for
13 school breakfast programs under s. 115.341.

14 **SECTION 256t.** 20.255 (2) (cs) of the statutes is created to read:

15 20.255 (2) (cs) *Aid for debt service*. The amounts in the schedule for aid for debt
16 service under s. 118.43 (8).

17 **SECTION 257.** 20.255 (2) (cu) of the statutes is amended to read:

18 20.255 (2) (cu) *Achievement guarantee contracts*. The amounts in the schedule
19 for aid to school districts and the program evaluation under s. 118.43. No funds may
20 be encumbered from this appropriation after June 30, ~~2003~~ 2005.

21 **SECTION 258.** 20.255 (2) (d) of the statutes is repealed.

22 **SECTION 259.** 20.255 (2) (dc) of the statutes is repealed.

23 **SECTION 260.** 20.255 (2) (dm) (title) of the statutes is amended to read:

24 20.255 (2) (dm) (title) *Grants for early alcohol and other drug abuse prevention*
25 *and intervention programs*.

1 **SECTION 261m.** 20.255 (2) (ec) of the statutes is repealed.

2 **SECTION 262.** 20.255 (2) (ed) of the statutes is repealed.

3 **SECTION 262p.** 20.255 (2) (fL) of the statutes is created to read:

4 20.255 (2) (fL) *Foreign language instruction grants.* The amounts in the
5 schedule for foreign language instruction grants under s. 115.28 (42).

6 **SECTION 263m.** 20.255 (2) (fu) of the statutes is amended to read:

7 20.255 (2) (fu) *Milwaukee parental choice program.* A sum sufficient to make
8 the payments to private schools under s. 119.23 (4) and (4m).

9 **SECTION 265.** 20.255 (2) (fy) of the statutes is repealed.

10 **SECTION 266.** 20.255 (2) (g) of the statutes is renumbered 20.255 (2) (kd) and
11 amended to read:

12 20.255 (2) (kd) *Aid for alcohol and other drug abuse programs.* ~~All moneys~~
13 ~~received under s. 165.87 (1)~~ The amounts in the schedule for the purpose of s. 115.36
14 (3). All moneys transferred from the appropriation account under s. 20.505 (6) (j) 5.
15 shall be credited to this appropriation account.

16 **SECTION 266m.** 20.255 (2) (kh) of the statutes is created to read:

17 20.255 (2) (kh) *Head start supplement; federal block grant aids.* All moneys
18 transferred from the appropriation account under s. 20.445 (3) (md) for the head start
19 supplement under s. 115.3615.

20 **SECTION 267.** 20.255 (2) (kp) of the statutes is created to read:

21 20.255 (2) (kp) *Aid to Milwaukee Public Schools; federal block grant aids.* The
22 amounts in the schedule for aid to the school district operating under ch. 119 under
23 ss. 119.72 and 119.82, to be distributed according to the spending plan under s.
24 119.80. All moneys transferred from the appropriation account under s. 20.445 (3)
25 (md) shall be credited to this appropriation account.

1 **SECTION 268.** 20.255 (3) (eb) of the statutes is repealed.

2 **SECTION 269.** 20.255 (3) (ed) of the statutes is repealed.

3 **SECTION 270.** 20.255 (3) (ef) of the statutes is renumbered 20.445 (7) (ef) and
4 amended to read:

5 20.445 (7) (ef) *School-to-work programs for children at risk.* The amounts in
6 the schedule for grants to nonprofit organizations under s. ~~118.153 (3m)~~ 106.13 (4m).

7 **SECTION 270m.** 20.255 (3) (q) of the statutes is created to read:

8 20.255 (3) (q) *Periodical and reference information data bases.* From the
9 universal service fund, the amounts in the schedule to contract for periodical and
10 reference information data bases under s. 115.28 (26).

11 **SECTION 272.** 20.275 (1) (er) of the statutes is amended to read:

12 20.275 (1) (er) *Principal, interest and rebates; general purpose revenue —*
13 *public library boards.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment
14 of principal and interest costs incurred in financing ~~subsidized~~ educational
15 technology infrastructure loans financial assistance to public library boards under
16 s. 44.72 (4) and to make full payment of the amounts determined by the building
17 commission under s. 13.488 (1) (m), to the extent that these costs and payments are
18 not paid under par. (hb).

19 **SECTION 273.** 20.275 (1) (es) of the statutes is amended to read:

20 20.275 (1) (es) *Principal, interest and rebates; general purpose revenue —*
21 *school districts.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of
22 principal and interest costs incurred in financing ~~subsidized~~ educational technology
23 infrastructure loans financial assistance to school districts under s. 44.72 (4) and to
24 make full payment of the amounts determined by the building commission under s.

1 13.488 (1) (m), to the extent that these costs and payments are not paid under par.
2 (h).

3 **SECTION 273n.** 20.275 (1) (et) of the statutes is amended to read:

4 20.275 (1) (et) *Educational technology training and technical assistance*
5 *grants.* ~~Biennially, the~~ The amounts in the schedule for grants to cooperative
6 educational service agencies and consortia under s. 44.72 (1) and to the board of
7 regents of the University of Wisconsin System under 1999 Wisconsin Act ... (this
8 act), section 9148 (2g).

9 **SECTION 274.** 20.275 (1) (fs) of the statutes is repealed.

10 **SECTION 274m.** 20.275 (1) (gf) of the statutes is created to read:

11 20.275 (1) (gf) *Payments from telecommunications carriers; school districts.* All
12 moneys received from telecommunications carriers in lieu of discounted service to
13 school districts under 47 USC 254 to make payments to telecommunications
14 providers under contracts with the department of administration under s. 16.974 (7)
15 (a) and, prior to July 1, 2002, to make grants to school districts under s. 44.73 (6).
16 Notwithstanding s. 20.001 (3) (c), the amount expended under this paragraph and
17 par. (s), in the aggregate, may not exceed the amounts in the schedule for par. (s).

18 **SECTION 274r.** 20.275 (1) (gg) of the statutes is created to read:

19 20.275 (1) (gg) *Payments from telecommunications carriers; libraries.* All
20 moneys received from telecommunications carriers in lieu of discounted service to
21 libraries under 47 USC 254 to make payments to telecommunications providers
22 under contracts with the department of administration under s. 16.974 (7) (b).
23 Notwithstanding s. 20.001 (3) (c), the amount expended under this paragraph and
24 par. (t), in the aggregate, may not exceed the amounts in the schedule for par. (t).

25 **SECTION 274t.** 20.275 (1) (gh) of the statutes is created to read:

1 20.275 (1) (gh) *Payments from telecommunications carriers; private schools.*
2 All moneys received from telecommunications carriers in lieu of discounted service
3 to private schools under 47 USC 254 to make payments to telecommunications
4 providers under contracts with the department of administration under s. 16.974 (7)
5 (c) and, prior to July 1, 2002, to make grants to private schools under s. 44.73 (6).
6 Notwithstanding s. 20.001 (3) (c), the amount expended under this paragraph and
7 par. (tm), in the aggregate, may not exceed the amounts in the schedule for par. (tm).

8 **SECTION 275.** 20.275 (1) (gm) of the statutes is created to read:

9 20.275 (1) (gm) *Wisconsin advanced telecommunications foundation services.*
10 All moneys received from the Wisconsin advanced telecommunications foundation
11 to provide administrative services to the Wisconsin advanced telecommunications
12 foundation under contracts under s. 44.71 (2) (bm).

13 **SECTION 276.** 20.275 (1) (h) of the statutes is amended to read:

14 20.275 (1) (h) *Principal, interest and rebates; program revenue — school*
15 *districts.* All moneys received under s. 44.72 (4) (c) to reimburse s. 20.866 (1) (u) for
16 the payment of principal and interest costs incurred in financing subsidized
17 educational technology infrastructure loans financial assistance to school districts
18 under s. 44.72 (4) and to make full payment of the amounts determined by the
19 building commission under s. 13.488 (1) (m).

20 **SECTION 277.** 20.275 (1) (hb) of the statutes is amended to read:

21 20.275 (1) (hb) *Principal, interest and rebates; program revenue — public*
22 *library boards.* All moneys received under s. 44.72 (4) (c) to reimburse s. 20.866 (1)
23 (u) for the payment of principal and interest costs incurred in financing subsidized
24 educational technology infrastructure loans financial assistance to public library

1 boards under s. 44.72 (4) and to make full payment of the amounts determined by the
2 building commission under s. 13.488 (1) (m).

3 **SECTION 278.** 20.275 (1) (L) of the statutes is amended to read:

4 20.275 (1) (L) *Equipment purchases and leases.* All moneys received from
5 school districts, cooperative educational service agencies and public educational
6 institutions for the purchase or lease of educational technology equipment under s.
7 44.71 (2) (h) (a) 8., for the purpose of purchasing such equipment.

8 **SECTION 279m.** 20.275 (1) (s) of the statutes is amended to read:

9 20.275 (1) (s) ~~*Educational telecommunications*~~ *Telecommunications access*
10 ~~*support; school districts, cooperative educational service agencies and technical*~~
11 ~~*college districts; grant.*~~ Biennially, from the universal service fund, the amounts in
12 the schedule to make payments to telecommunications providers under contracts
13 with the department of administration under s. 16.974 (7) (a) to the extent that the
14 amounts due are not paid from the ~~appropriation~~ appropriations under par. (gf) and
15 s. 20.505 (1) (is) and, prior to July 1, 2002, to the extent that the amounts due school
16 districts are not paid from the appropriation under par. (gf), to make grants to school
17 districts under s. 196.218 (4r) (g) 44.73 (6) and, in the 1999–2000 fiscal year, to award
18 a grant to the distance learning network under 1999 Wisconsin Act (this act),
19 section 9148 (4w).

20 **SECTION 280m.** 20.275 (1) (t) of the statutes is amended to read:

21 20.275 (1) (t) ~~*Educational telecommunications*~~ *Telecommunications access*
22 ~~*support; private and technical colleges and public library boards libraries.*~~
23 Biennially, from the universal service fund, the amounts in the schedule to make
24 payments to telecommunications providers under contracts with the department of

1 administration under s. 16.974 (7) (b) to the extent that the amounts due are not paid
2 from the ~~appropriation~~ appropriations under par. (gg) and s. 20.505 (1) (is).

3 **SECTION 281m.** 20.275 (1) (tm) of the statutes is amended to read:

4 20.275 (1) (tm) ~~*Educational telecommunications*~~ *Telecommunications access*
5 *support; private schools.* Biennially, from the universal service fund, the amounts
6 in the schedule to make payments to telecommunications providers under contracts
7 with the department of administration under s. 16.974 (7) (c) to the extent that the
8 amounts due are not paid from the ~~appropriation~~ appropriations under par. (gh) and
9 s. 20.505 (1) (is) and, prior to July 1, 2002, to the extent that the amounts due private
10 *schools are not paid from the appropriation under par. (gh).* to make grants to private
11 schools under s. ~~196.218 (4r) (g)~~ 44.73 (6).

12 **SECTION 283.** 20.275 (1) (tu) of the statutes is created to read:

13 20.275 (1) (tu) *Telecommunications access; state schools.* Biennially, from the
14 universal service fund, the amounts in the schedule to make payments to
15 telecommunications providers under contracts with the department of
16 administration under s. 16.974 (7) (d) to the extent that the amounts due are not paid
17 from the appropriation under s. 20.505 (1) (kL).

18 **SECTION 283m.** 20.275 (1) (u) of the statutes is repealed.

19 **SECTION 285.** 20.285 (1) (b) of the statutes is amended to read:

20 20.285 (1) (b) *Area health education center centers.* The amounts in the
21 schedule ~~for the~~ to operate and implement jointly with the Medical College of
22 *Wisconsin* area health education center at the University of Wisconsin–Madison
23 under s. ~~36.25 (37)~~ centers and projects. Beginning October 1, 1999, the area health
24 education centers and projects shall be implemented and operated solely by the
25 board of regents of the University of Wisconsin System.

1 **SECTION 285m.** 20.285 (1) (ep) of the statutes is created to read:

2 20.285 (1) (ep) *Extension local planning program.* The amounts in the schedule
3 for the University of Wisconsin–Extension local planning program under s. 36.11
4 (37) and for development of model ordinances for traditional neighborhood
5 development and conservation development under s. 66.034.

6 **SECTION 286m.** 20.285 (1) (er) of the statutes is created to read:

7 20.285 (1) (er) *Grants for study abroad.* The amounts in the schedule for grants
8 for study abroad under s. 36.36.

9 **SECTION 290.** 20.285 (1) (gm) of the statutes is repealed.

10 **SECTION 291.** 20.285 (1) (h) of the statutes is amended to read:

11 20.285 (1) (h) *Auxiliary enterprises.* Except as provided under ~~par. (gm) and~~
12 subs. (5) (i) and (6) (g), all moneys received by the university of Wisconsin system for
13 or on account of any housing facility, commons, dining halls, cafeteria, student union,
14 athletic activities, stationery stand or bookstore, parking facilities or car fleet, or
15 such other auxiliary enterprise activities as the board designates and including such
16 fee revenues as allocated by the board and including such moneys received under
17 leases entered into previously with nonprofit building corporations as the board
18 designates to be receipts under this paragraph, to be used for the operation,
19 maintenance and capital expenditures of activities specified in this paragraph,
20 including the transfer of funds to pars. (kd) and (ke) and to nonprofit building
21 corporations to be used by the corporations for the retirement of existing
22 indebtedness and such other payments as may be required under existing loan
23 agreements, and for optional rental payments in addition to the mandatory rental
24 payments under the leases and subleases in connection with the providing of
25 facilities for such activities. A separate account shall be maintained for each campus

1 and extension. Upon the request of the extension or any campus within the system,
2 the board of regents may transfer surplus moneys appropriated under this
3 paragraph to the appropriation account under par. (kp).

4 **SECTION 291t.** 20.285 (1) (im) of the statutes is amended to read:

5 20.285 (1) (im) *Academic student fees.* Except as provided in sub. (2) (i) 1., the
6 amounts in the schedule under pars. (ip), (Lm) and (Ls), all moneys received from
7 academic student fees for degree credit instruction, other than for credit outreach
8 instruction sponsored by the University of Wisconsin–Extension. Except as provided
9 under pars. (ip), (Lm) and (Ls), all moneys received from academic student fees shall
10 be credited to this appropriation.

11 **SECTION 292f.** 20.285 (1) (kc) of the statutes is repealed.

12 **SECTION 292m.** 20.285 (1) (kf) of the statutes is created to read:

13 20.285 (1) (kf) *Outdoors skills training.* The amounts in the schedule for
14 outdoors skills training under s. 29.598. All moneys transferred from the
15 appropriation account under s. 20.370 (1) (mu) shall be credited to this appropriation
16 account.

17 **SECTION 293.** 20.285 (1) (km) of the statutes is created to read:

18 20.285 (1) (km) *Aquaculture demonstration facility; principal repayment and*
19 *interest.* The amounts in the schedule to reimburse s. 20.866 (1) (u) for the payment
20 of principal and interest costs incurred in financing the construction of the
21 aquaculture demonstration facility enumerated under 1999 Wisconsin Act (this
22 act), section 9107 (1) (i) 3. and to make the payments determined by the building
23 commission under s. 13.488 (1) (m) that are attributable to the proceeds of
24 obligations incurred in financing that facility. All moneys transferred from the

1 appropriation account under s. 20.505 (8) (hm) 1c. shall be credited to this
2 appropriation account.

3 **SECTION 294.** 20.285 (1) (kn) of the statutes is created to read:

4 20.285 (1) (kn) *Aquaculture demonstration facility; operational costs.* The
5 amounts in the schedule for the operational costs of the aquaculture demonstration
6 facility enumerated under 1999 Wisconsin Act (this act), section 9107 (1) (i) 3. All
7 moneys transferred from the appropriation account under s. 20.505 (8) (hm) 11a.
8 shall be credited to this appropriation account.

9 **SECTION 294g.** 20.285 (1) (kr) of the statutes is created to read:

10 20.285 (1) (kr) *University of Wisconsin center for tobacco research and*
11 *intervention.* All moneys received from the tobacco control board under s. 255.15 (3)
12 (a) 1., to advance the work of the tobacco research and intervention center at the
13 University of Wisconsin–Madison in developing new educational programs to
14 discourage tobacco use, determining the most effective strategies for preventing
15 tobacco use and expanding smoking cessation programs throughout the state.

16 **SECTION 294mm.** 20.285 (1) (kv) of the statutes is created to read:

17 20.285 (1) (kv) *Stray voltage research.* All moneys transferred from the
18 appropriation account under s. 20.155 (1) (jm) for stray voltage research under s.
19 36.25 (45).

20 **SECTION 295m.** 20.285 (1) (qd) of the statutes is created to read:

21 20.285 (1) (qd) *Ginseng research.* Biennially, from the agrichemical
22 management fund, the amounts in the schedule to research the properties of ginseng
23 that grows in this state. No moneys may be encumbered under this paragraph after
24 June 30, 2001.

25 **SECTION 296g.** 20.285 (1) (qm) of the statutes is created to read:

1 20.285 (1) (qm) *Grants to forestry cooperatives.* From the conservation fund,
2 the amounts in the schedule for grants to forest cooperatives under s. 36.56.

3 **SECTION 296m.** 20.285 (2) (i) (title) of the statutes is amended to read:

4 20.285 (2) (i) (title) *Expenditures from program revenue appropriations federal*
5 *indirect cost reimbursement appropriation.*

6 **SECTION 296s.** 20.285 (2) (i) 1. of the statutes is repealed.

7 **SECTION 296t.** 20.285 (2) (i) 2. of the statutes is renumbered 20.285 (2) (i).

8 **SECTION 297m.** 20.285 (3) (ka) of the statutes is repealed.

9 **SECTION 297t.** 20.285 (4) (dd) of the statutes is amended to read:

10 20.285 (4) (dd) *Lawton minority undergraduate grants program.* The amounts
11 ~~in the schedule~~ A sum sufficient equal to the amount determined under s. 36.34 (1)
12 (c) for the Lawton minority undergraduate grant program under s. 36.34 (1).

13 **SECTION 298.** 20.285 (4) (de) of the statutes is repealed.

14 **SECTION 299.** 20.292 (1) (cm) of the statutes is repealed.

15 **SECTION 300.** 20.292 (1) (d) of the statutes is amended to read:

16 20.292 (1) (d) *State aid for technical colleges; statewide guide.* The amounts in
17 the schedule for state aids for technical college districts and technical colleges,
18 including area schools and programs established and maintained under the
19 supervision of the board ~~to be distributed,~~ under s. 38.28 (2) (b), and for production
20 and distribution of the statewide guide under s. 38.04 (18). Of the amount in the
21 schedule for each fiscal year not exceeding \$50,000 may be spent by the board to
22 match federal funds made available for technical education by any act of congress for
23 the purposes set forth in such act and no more than \$125,000 may be spent by the
24 board to produce and distribute the statewide guide under s. 38.04 (18). If, in any

1 fiscal year, actual program fees raised under s. 38.24 (1m) exceed board estimates,
2 the increase shall be used to offset actual district aidable cost.

3 **SECTION 300m.** 20.292 (1) (ec) of the statutes is created to read:

4 20.292 (1) (ec) *Milwaukee Enterprise Center.* The amounts in the schedule for
5 a grant to the Milwaukee Enterprise Center under 1999 Wisconsin Act (this act),
6 section 9147 (2ct). No moneys may be encumbered from this appropriation after
7 June 30, 2001.

8 **SECTION 301g.** 20.292 (1) (ep) of the statutes is created to read:

9 20.292 (1) (ep) *Grants to students.* The amounts in the schedule for grants to
10 students under s. 38.30.

11 **SECTION 301r.** 20.292 (1) (er) of the statutes is created to read:

12 20.292 (1) (er) *Grants for additional course sections.* The amounts in the
13 schedule for grants to district boards under s. 38.31.

14 **SECTION 302.** 20.292 (1) (gt) of the statutes is amended to read:

15 20.292 (1) (gt) *Telecommunications retraining.* All moneys received under s.
16 38.42 (4) to fund telecommunications retraining grants under s. 38.42 (5). This
17 paragraph does not apply after June 30, ~~1999~~ 2000.

18 **SECTION 302m.** 20.292 (1) (kc) of the statutes is repealed.

19 **SECTION 302p.** 20.292 (1) (q) of the statutes is created to read:

20 20.292 (1) (q) *Agricultural education consultant.* From the agricultural
21 chemical cleanup fund, the amounts in the schedule for an agricultural education
22 consultant at the technical college system board.

23 **SECTION 303g.** 20.315 (1) (g) and (ka) of the statutes are repealed.

24 **SECTION 303m.** 20.320 (1) (c) of the statutes is amended to read:

1 20.320 (1) (c) *Principal repayment and interest — clean water fund program.*
2 A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and
3 interest costs incurred in transferring moneys from s. 20.866 (2) (tc) to the
4 environmental improvement fund for the purposes of the clean water fund program
5 under s. 281.58 and the urban storm water loan program under s. 281.595.

6 **SECTION 303p.** 20.320 (1) (q) of the statutes is amended to read:

7 20.320 (1) (q) *Clean water fund program revenue obligation funding.* As a
8 continuing appropriation, all proceeds from revenue obligations issued for the clean
9 water fund program or the urban storm water loan program under subch. II or IV of
10 ch. 18, as authorized under s. 281.59 (4) and deposited in the fund in the state
11 treasury created under s. 18.57 (1), providing for reserves and for expenses of
12 issuance and management of the revenue obligations, and the remainder to be
13 transferred to the environmental improvement fund for the purposes of the clean
14 water fund program under s. 281.58 and the urban storm water loan program under
15 s. 281.595. Estimated disbursements under this paragraph shall not be included in
16 the schedule under s. 20.005.

17 **SECTION 303pm.** 20.320 (1) (r) of the statutes is amended to read:

18 20.320 (1) (r) *Clean water fund program repayment of revenue obligations.*
19 From the environmental improvement fund, a sum sufficient to repay the fund in the
20 state treasury created under s. 18.57 (1) the amount needed to retire revenue
21 obligations issued for the clean water fund program or the urban storm water loan
22 program under subch. II or IV of ch. 18, as authorized under s. 281.59 (4).

23 **SECTION 303q.** 20.320 (1) (s) of the statutes is amended to read:

24 20.320 (1) (s) *Clean water fund program financial assistance.* From the
25 environmental improvement fund, a sum sufficient for the purposes of providing

1 clean water fund program financial assistance under s. 281.58 and urban storm
2 water loan program assistance under s. 281.595.

3 **SECTION 303s.** 20.320 (1) (t) of the statutes is amended to read:

4 20.320 (1) (t) *Principal repayment and interest — clean water fund program*
5 *bonds.* From the environmental improvement fund, the amounts in the schedule to
6 reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred
7 in transferring moneys from s. 20.866 (2) (tc) to the environmental improvement
8 fund for the purposes of the clean water fund program under s. 281.58 and the urban
9 storm water loan program under s. 281.595. Fifty percent of all moneys received
10 from municipalities as payment of interest on loans or portions of loans under s. ~~ss.~~
11 281.58 and 281.595 the revenues of which have not been pledged to secure revenue
12 obligations shall be credited to this appropriation account.

13 **SECTION 303t.** 20.320 (1) (u) of the statutes is amended to read:

14 20.320 (1) (u) *Principal repayment and interest — clean water fund program*
15 *revenue obligation repayment.* From the fund in the state treasury created under s.
16 18.57 (1), all moneys received by the fund and not transferred under s. 281.59 (4) (c)
17 to the environmental improvement fund, for the purpose of the retirement of revenue
18 obligations, providing for reserves and for operations relating to the management
19 and retirement of revenue obligations issued for the clean water fund program or the
20 urban storm water loan program under subch. II or IV of ch. 18, as authorized under
21 s. 281.59 (4). All moneys received are irrevocably appropriated in accordance with
22 subch. II of ch. 18 and further established in resolutions authorizing the issuance of
23 the revenue obligations and setting forth the distribution of funds to be received
24 thereafter.

25 **SECTION 303u.** 20.320 (1) (x) of the statutes is amended to read:

1 20.320 (1) (x) *Clean water fund program financial assistance; federal.* From
2 the clean water fund program federal revolving loan fund account in the
3 environmental improvement fund, all moneys received from the federal government
4 to provide financial assistance under the clean water fund program under s. 281.58
5 and under the urban storm water loan program under s. 281.595, as authorized by
6 the governor under s. 16.54, except moneys appropriated under par. (y), for financial
7 assistance under the clean water fund program under s. 281.58 and under the urban
8 storm water loan program under s. 281.595.

9 **SECTION 303w.** 20.320 (2) (q) of the statutes is created to read:

10 20.320 (2) (q) *Safe drinking water loan program revenue obligation funding.*
11 As a continuing appropriation, all proceeds from revenue obligations issued for the
12 safe drinking water loan program under subch. II or IV of ch. 18, as authorized under
13 s. 281.59 (4) and deposited in the fund in the state treasury created under s. 18.57
14 (1), providing for reserves and for expenses of issuance and management of the
15 revenue obligations, and the remainder to be transferred to the environmental
16 improvement fund for the purposes of the safe drinking water loan program under
17 s. 281.61. Estimated disbursements under this paragraph shall not be included in
18 the schedule under s. 20.005.

19 **SECTION 303x.** 20.320 (2) (r) of the statutes is created to read:

20 20.320 (2) (r) *Safe drinking water loan program repayment of revenue*
21 *obligations.* From the environmental improvement fund, a sum sufficient to repay
22 the fund in the state treasury created under s. 18.57 (1) the amount needed to retire
23 revenue obligations issued for the safe drinking water loan program under subch. II
24 or IV of ch. 18, as authorized under s. 281.59 (4).

25 **SECTION 303y.** 20.320 (2) (u) of the statutes is created to read:

1 20.320 **(2)** (u) *Principal repayment and interest — safe drinking water loan*
2 *program revenue obligation repayment.* From the fund in the state treasury created
3 under s. 18.57 (1), all moneys received by the fund and not transferred under s.
4 281.59 (4) (c) to the environmental improvement fund, for the purpose of the
5 retirement of revenue obligations, providing for reserves and for operations relating
6 to the management and retirement of revenue obligations issued for the safe
7 drinking water loan program under subch. II or IV of ch. 18, as authorized under s.
8 281.59 (4). All moneys received are irrevocably appropriated in accordance with
9 subch. II of ch. 18 and further established in resolutions authorizing the issuance of
10 the revenue obligations and setting forth the distribution of funds to be received
11 thereafter.

12 **SECTION 304.** 20.320 (3) of the statutes is created to read:

13 20.320 **(3)** PRIVATE SEWAGE SYSTEM PROGRAM. (q) *Private sewage system loans.*
14 From the environmental improvement fund, as a continuing appropriation, the
15 amounts in the schedule for private sewage system replacement or rehabilitation
16 loans under s. 145.245 (12m).

17 **SECTION 305m.** 20.360 (1) (ka) of the statutes is repealed.

18 **SECTION 306.** 20.370 (1) (ct) of the statutes is created to read:

19 20.370 **(1)** (ct) *Timber sales contracts — repair and reimbursement costs.* All
20 moneys received by the department as sureties under s. 28.05 (1) to be used to repair
21 damage and recover costs incurred by the improper performance of timber sales
22 contracts and to reimburse persons who provide sureties as provided in s. 28.05 (1).

23 **SECTION 306m.** 20.370 (1) (fs) of the statutes is amended to read:

24 20.370 **(1)** (fs) *Endangered resources — voluntary payments; sales, leases and*
25 *fees.* As a continuing appropriation, from moneys received as amounts designated

1 under ~~s. ss. 71.10 (5) (b) and 71.30 (10) (b)~~, the net amounts certified under ~~s. ss. 71.10~~
2 (5) (h) 4. and 71.30 (10) (h) 3., all moneys received from the sale or lease of resources
3 derived from the land in the state natural areas system and all moneys received from
4 fees collected under ss. 23.27 (3) (b), 29.563 (10) and 341.14 (6r) (b) 5., for the purposes
5 of the endangered resources program, as defined under ~~s. ss. 71.10 (5) (a) 2. and 71.30~~
6 (10) (a) 2. Three percent of the moneys certified under ~~s. ss. 71.10 (5) (h) 4. and 71.30~~
7 (10) (h) 3. in each fiscal year, ~~but not exceed \$100,000, and 3% of the fees received~~
8 under s. 341.14 (6r) (b) 5. in each fiscal year shall be allocated for wildlife damage
9 control and payment of claims for damage associated with endangered or threatened
10 species, except that this combined allocation may not exceed \$100,000 per fiscal year.

11 **SECTION 307.** 20.370 (1) (hk) of the statutes is created to read:

12 20.370 (1) (hk) *Elk management.* From the general fund, the amounts in the
13 schedule for the costs associated with the management of the elk population in this
14 state and for the costs associated with the transportation of elk brought into the
15 state. All moneys transferred from the appropriation account under s. 20.505 (8)
16 (hm) 8g. shall be credited to this appropriation account.

17 **SECTION 308.** 20.370 (1) (iu) of the statutes is created to read:

18 20.370 (1) (iu) *Gravel pit reclamation.* All moneys received under s. 23.20 to
19 be used to reclaim gravel pits and similar facilities on property under the jurisdiction
20 of the department of natural resources.

21 **SECTION 308k.** 20.370 (1) (Lk) of the statutes is created to read:

22 20.370 (1) (Lk) *Wild crane management.* From the general fund, the amounts
23 in the schedule for the study on crop damage by cranes under 1999 Wisconsin Act
24 (this act), section 9136 (10m), and for the costs associated with reintroducing

1 whooping cranes into the state. All moneys transferred from the appropriation
2 account under s. 20.505 (8) (hm) 8i. shall be credited to this appropriation account.

3 **SECTION 308L.** 20.370 (1) (Lk) of the statutes, as created by 1999 Wisconsin Act
4 (this act), is amended to read:

5 20.370 (1) (Lk) *Wild crane management.* From the general fund, the amounts
6 in the schedule for ~~the study on crop damage by cranes under 1999 Wisconsin Act~~
7 ~~(this act), section 9136 (10m) and for the costs associated with reintroducing~~
8 whooping cranes into the state. All moneys transferred from the appropriation
9 account under s. 20.505 (8) (hm) 8i. shall be credited to this appropriation account.

10 **SECTION 308m.** 20.370 (1) (Lt) of the statutes is created to read:

11 20.370 (1) (Lt) *Wildlife management.* The amounts in the schedule for wildlife
12 management activities in forested areas of this state.

13 **SECTION 309.** 20.370 (1) (mt) of the statutes is created to read:

14 20.370 (1) (mt) *Land preservation and management — endowment fund.* From
15 the natural resources land endowment fund, a sum sufficient for preserving,
16 developing, managing or maintaining land as provided in s. 23.0918 (2).

17 **SECTION 309e.** 20.370 (1) (mu) of the statutes is amended to read:

18 20.370 (1) (mu) *General program operations — state funds.* The amounts in
19 the schedule for general program operations that do not relate to the management
20 and protection of the state's fishery resources under ss. 23.09 to 23.11, 27.01, 30.203
21 and 30.277, subch. VI of ch. 77 and chs. 26, 28 and 29 and for transfers to the
22 appropriation account under s. 20.285 (1) (kf).

23 **SECTION 310.** 20.370 (2) (bg) of the statutes is amended to read:

24 20.370 (2) (bg) *Air management — stationary sources.* The amounts in the
25 schedule for purposes related to stationary sources of air contaminants as specified

1 in s. 285.69 (2) (c) and to transfer the amounts appropriated under s. 20.143 (1) (kc)
2 to the appropriation account under s. 20.143 (1) (kc). All moneys received from fees
3 imposed under s. 285.69 (2) (a) and (e), except moneys appropriated under subs. (3)
4 (bg), (8) (mg) and (9) (mh), and all moneys received from fees imposed under s. 285.69
5 (7) shall be credited to this appropriation.

6 **SECTION 311a.** 20.370 (2) (fq) of the statutes is created to read:

7 20.370 (2) (fq) *Indemnification agreements.* From the environmental fund, a
8 sum sufficient to provide indemnification under agreements under s. 292.70.

9 **SECTION 311h.** 20.370 (2) (hr) of the statutes is created to read:

10 20.370 (2) (hr) *Study of landfill remediation.* From the recycling fund, the
11 amounts in the schedule for the study of landfill remediation under 1999 Wisconsin
12 Act (this act), section 9136 (2e). No moneys may be encumbered from this
13 appropriation after June 30, 2000.

14 **SECTION 312.** 20.370 (3) (ak) of the statutes is created to read:

15 20.370 (3) (ak) *Law enforcement — snowmobile enforcement and safety*
16 *training; service funds.* From the general fund, the amounts in the schedule for
17 snowmobile enforcement operations under ss. 350.055, 350.12 (4) (a) 2m., 3. and 3m.
18 and 350.155 and for safety training and fatality reporting. All moneys transferred
19 from the appropriation account under s. 20.505 (8) (hm) 8k. shall be credited to this
20 appropriation account.

21 **SECTION 313.** 20.370 (3) (aq) of the statutes is amended to read:

22 20.370 (3) (aq) *Law enforcement — snowmobile enforcement and safety*
23 *training.* The amounts in the schedule from the snowmobile account in the
24 conservation fund for state law enforcement operations ~~and~~ under ss. 350.055,

1 350.12 (4) (a) 2m., 3. and 3m. and 350.155 and for safety training and fatality
2 reporting.

3 **SECTION 314.** 20.370 (3) (at) of the statutes is created to read:

4 20.370 (3) (at) *Education and safety programs.* Fifty percent of all moneys
5 remitted to the department of natural resources under s. 29.591 (3) and all moneys
6 remitted to the department under ss. 23.33 (5) (d), 30.74 (1) (b) and 350.055 for
7 programs or courses of instruction under ss. 23.33 (5) (d), 29.591, 30.74 (1) (a) and
8 350.055.

9 **SECTION 316m.** 20.370 (3) (bg) of the statutes is amended to read:

10 20.370 (3) (bg) *Enforcement — stationary sources.* From the general fund, from
11 the moneys received from fees imposed, under s. 285.69 (2) (a) and (e), the amounts
12 in the schedule for enforcement operations related to stationary sources of air
13 contaminants.

14 **SECTION 317.** 20.370 (4) (bg) of the statutes is created to read:

15 20.370 (4) (bg) *Water regulation and zoning — computer access fees.* From the
16 general fund, all moneys received under s. 23.322 from fees collected for providing
17 computer accessible information.

18 **SECTION 318.** 20.370 (4) (kk) of the statutes is created to read:

19 20.370 (4) (kk) *Fishery resources for ceded territories.* From the general fund,
20 the amounts in the schedule for the management of the state's fishery resources
21 within an area where federally recognized American Indian tribes or bands
22 domiciled in this state hold treaty-based, off-reservation rights to fish and for
23 liaison activities with these tribes or bands that relate to fishery resources. All
24 moneys transferred from the appropriation account under s. 20.505 (8) (hm) 8d. shall
25 be credited to this appropriation account.

1 **SECTION 318g.** 20.370 (4) (mt) of the statutes is amended to read:

2 20.370 (4) (mt) *General program operations — environmental improvement*
3 *programs; state funds.* From the environmental improvement fund, the amounts in
4 the schedule for general program operations under s. 281.58, 281.59, 281.595,
5 281.60, 281.61 or 281.62.

6 **SECTION 318j.** 20.370 (4) (mx) of the statutes is amended to read:

7 20.370 (4) (mx) *General program operations — clean water fund program;*
8 *federal funds.* As a continuing appropriation, from the clean water fund program
9 federal revolving loan fund account in the environmental improvement fund, the
10 amounts in the schedule for general program operations of the clean water fund
11 program and the urban storm water loan program under s. ~~ss.~~ 281.58 ~~or~~, 281.59 and
12 281.595.

13 **SECTION 318m.** 20.370 (5) (at) of the statutes is created to read:

14 20.370 (5) (at) *Ice age trail area grants.* The amounts in the schedule for the
15 ice age trail area grants under s. 23.295.

16 **SECTION 318o.** 20.370 (5) (aw) of the statutes is amended to read:

17 20.370 (5) (aw) *Resource aids — nonprofit conservation organizations.* As a
18 continuing appropriation, the amounts in the schedule for a ~~grant~~ grants to a
19 nonstock, nonprofit ~~corporation~~ corporations under s. ~~ss.~~ 23.0955 (2) and 23.0956 for
20 assistance to nonprofit conservation organizations under s. ~~ss.~~ 23.0955 and 23.0956.

21 **SECTION 318r.** 20.370 (5) (ay) of the statutes is created to read:

22 20.370 (5) (ay) *Resource aids — urban land conservation.* The amounts in the
23 schedule for the annual grant to a nonstock, nonprofit corporation under s. 23.0957.

24 **SECTION 318x.** 20.370 (5) (bx) of the statutes is amended to read:

1 20.370 (5) (bx) *Resource aids — national forest income aids.* All moneys
2 received from the U.S. government for allotments to ~~counties~~ school districts
3 containing national forest lands, ~~and designated for the benefit of public roads in~~
4 ~~such counties,~~ shall be distributed in proportion to the national forest acreage in each
5 county ~~as certified by the U.S. forest service~~ school district. Such distribution shall
6 be made annually within 60 days after receipt of the money from the federal
7 government.

8 **SECTION 319.** 20.370 (5) (by) of the statutes is amended to read:

9 20.370 (5) (by) *Resource aids — fire suppression grants.* The amounts in the
10 schedule for grants for fire suppression clothing, supplies, equipment and vehicles
11 under s. 26.145. ~~No moneys may be encumbered under this paragraph after~~
12 ~~June 30, 1999.~~

13 **SECTION 319b.** 20.370 (5) (cb) of the statutes is created to read:

14 20.370 (5) (cb) *Recreation aids — snowmobile trail and area aids; general fund.*
15 From the general fund, the amounts in the schedule for the purposes specified under
16 s. 350.12 (4) (b).

17 **SECTION 319g.** 20.370 (5) (cq) of the statutes, as affected by 1997 Wisconsin Act
18 27, section 378no, is amended to read:

19 20.370 (5) (cq) *Recreation aids — recreational boating and other projects.* As
20 a continuing appropriation, the amounts in the schedule for recreational boating
21 aids under s. 30.92, for the grant for Black Point Estate under s. 23.0962, for the
22 Southeastern Wisconsin Fox River commission under 1997 Wisconsin Act 237,
23 section 9136 (2), and under 1999 Wisconsin Act (this act), section 9136 (10z), for
24 the Portage levee system and the Portage canal under s. 31.309, for development of

1 a state park under s. 23.198, for activities relating to aquatic nuisance species under
2 s. 30.1255 (4) and for the engineering and environmental study under s. 31.307.

3 **SECTION 319h.** 20.370 (5) (cq) of the statutes, as affected by 1997 Wisconsin Act
4 237, section 35, is amended to read:

5 20.370 (5) (cq) *Recreation aids — recreational boating and other projects.* As
6 a continuing appropriation, the amounts in the schedule for recreational boating
7 aids under s. 30.92, for the grant for Black Point Estate under s. 23.0962, for the
8 Southeastern Wisconsin Fox River commission under 1999 Wisconsin Act (this
9 act), section 9136 (10z), for the Portage levee system and the Portage canal under s.
10 31.309, for development of a state park under s. 23.198, for activities relating to
11 aquatic nuisance species under s. 30.1255 (4) and for the engineering and
12 environmental study under s. 31.307.

13 **SECTION 319j.** 20.370 (5) (cq) of the statutes, as affected by 1999 Wisconsin Act
14 (this act), sections 319g and 319h, is repealed and recreated to read:

15 20.370 (5) (cq) *Recreation aids — recreational boating and other projects.* As
16 a continuing appropriation, the amounts in the schedule for recreational boating
17 aids under s. 30.92, for the grant for Black Point Estate under s. 23.0962, for the
18 Portage levee system and the Portage canal under s. 31.309, for development of a
19 state park under s. 23.198 and for the engineering and environmental study under
20 s. 31.307.

21 **SECTION 320m.** 20.370 (5) (et) of the statutes is repealed.

22 **SECTION 322.** 20.370 (5) (fq) of the statutes is amended to read:

23 20.370 (5) (fq) *Wildlife damage claims and abatement.* All moneys received
24 under ss. 29.181 (3), 29.559 (1r) (b) and 29.563 (13) and not appropriated under par.
25 (fr) and sub. (1) (Ls) to provide state aid ~~under~~ for the wildlife damage abatement

1 program under s. 29.889 (5) (c) and the wildlife damage claim program under s.
2 29.889 (7) (d) ~~and~~, for county administration costs under s. 29.889 (2) (d) and for
3 payments under s. 29.89.

4 **SECTION 322p.** 20.370 (6) (aa) of the statutes is amended to read:

5 20.370 **(6)** (aa) *Environmental aids; nonpoint source.* Biennially, the amounts
6 in the schedule for grants and assistance under the nonpoint source water pollution
7 abatement program under s. 281.65 ~~and for transfers to the appropriation account~~
8 ~~under s. 20.115 (7) (km) as provided in s. 281.65 (4) (t).~~ Beginning in fiscal year
9 1999–2000, the department may not expend more than 50% of the funds
10 appropriated under this paragraph in each fiscal year for local assistance. The
11 department shall allocate \$300,000 in each fiscal year from this appropriation for
12 grants under s. 281.65 (8) (cm).

13 **SECTION 323v.** 20.370 (6) (aq) of the statutes is amended to read:

14 20.370 **(6)** (aq) *Environmental aids — nonpoint source program.* Biennially,
15 from the environmental fund, the amounts in the schedule for nonpoint source
16 grants and assistance under s. 281.65 ~~and for transfers to the appropriation account~~
17 ~~under s. 20.115 (7) (km) as provided in s. 281.65 (4) (t).~~

18 **SECTION 324g.** 20.370 (6) (ar) of the statutes is amended to read:

19 20.370 **(6)** (ar) *Environmental aids — lake management grants protection.*
20 From the conservation fund, as a continuing appropriation, the amounts in the
21 schedule for lake management grants and contracts under s. ss. 281.68 and 281.69.

22 **SECTION 324r.** 20.370 (6) (as) of the statutes is repealed.

23 **SECTION 325b.** 20.370 (6) (au) of the statutes is created to read:

24 20.370 **(6)** (au) *Environmental aids — river protection; environmental fund.*
25 From the environmental fund, the amounts in the schedule for river protection

1 grants under s. 281.70. Notwithstanding 20.001 (3) (a), on June 30 of each fiscal year
2 the unencumbered balance in this appropriation account shall be transferred to the
3 appropriation account under par. (ar).

4 **SECTION 325m.** 20.370 (6) (av) of the statutes is created to read:

5 20.370 (6) (av) *Environmental aids — river protection; conservation fund.*

6 From the conservation fund, the amounts in the schedule for river protection grants
7 and contracts under s. 281.70. Notwithstanding s. 20.001 (3) (a), on June 30 of each
8 fiscal year the unencumbered balance in this appropriation account shall be
9 transferred to the appropriation account under par. (ar).

10 **SECTION 325p.** 20.370 (6) (aw) of the statutes is created to read:

11 20.370 (6) (aw) *Environmental aids — river protection, nonprofit organization*
12 *contracts.* From the conservation fund, as a continuing appropriation, the amounts
13 in the schedule for contracts under s. 281.72.

14 **SECTION 326m.** 20.370 (6) (bq) 9. of the statutes is repealed.

15 **SECTION 328.** 20.370 (6) (br) of the statutes is amended to read:

16 20.370 (6) (br) *Environmental aids — waste reduction and recycling*
17 *demonstration grants.* From the recycling fund, as a continuing appropriation, the
18 amounts in the schedule for waste reduction and recycling demonstration grants
19 under s. 287.25 and the grants required under ~~1997 Wisconsin Act 237, section 9136~~
20 ~~(2f)~~ 1999 Wisconsin Act ... (this act), section 9136 (9) and (9c).

21 **SECTION 328m.** 20.370 (6) (bu) of the statutes is created to read:

22 20.370 (6) (bu) *Financial assistance for responsible units.* From the recycling
23 fund, the amounts in the schedule for grants to responsible units under s. 287.23.

24 **SECTION 329.** 20.370 (6) (ck) of the statutes is created to read:

1 20.370 (6) (ck) *Environmental aids — drinking water study.* The amounts in
2 the schedule for the drinking water study under 1999 Wisconsin Act (this act),
3 section 9136 (4). All moneys transferred from the appropriation account under s.
4 20.505 (8) (hm) 17g. shall be credited to this appropriation account.

5 **SECTION 330.** 20.370 (6) (ck) of the statutes, as created by 1999 Wisconsin Act
6 (this act), is repealed.

7 **SECTION 331.** 20.370 (6) (dk) of the statutes is created to read:

8 20.370 (6) (dk) *Environmental aids — Oneida Nation; Indian gaming.* The
9 amounts in the schedule for nonpoint grants and assistance to the Oneida Nation of
10 Chippewa under s. 281.65. All moneys transferred from the appropriation account
11 under s. 20.505 (8) (hm) 17e. shall be credited to this appropriation account.

12 **SECTION 331d.** 20.370 (6) (dq) of the statutes is created to read:

13 20.370 (6) (dq) *Environmental aids – urban nonpoint source.* From the
14 environmental fund, the amounts in the schedule to provide financial assistance for
15 urban nonpoint source water pollution abatement and storm water management
16 under s. 281.66.

17 **SECTION 331e.** 20.370 (6) (dr) of the statutes is created to read:

18 20.370 (6) (dr) *Environmental aids – municipal flood control and riparian*
19 *restoration.* From the environmental fund, the amounts in the schedule to provide
20 financial assistance for municipal flood control and riparian restoration under s.
21 281.665.

22 **SECTION 332.** 20.370 (6) (eq) of the statutes is amended to read:

23 20.370 (6) (eq) *Environmental aids — dry cleaner environmental response.*
24 ~~From~~ Biennially, from the dry cleaner environmental response fund, the amounts in

1 the schedule for financial assistance under ss. 292.65 and 292.66 and to make
2 transfers required under s. 292.65 (11).

3 **SECTION 332e.** 20.370 (6) (er) of the statutes is created to read:

4 20.370 (6) (er) *Environmental aids — sustainable urban development zones.*
5 Biennially, from the environmental fund, the amounts in the schedule for the
6 sustainable urban development zone program under s. 292.77.

7 **SECTION 332m.** 20.370 (6) (es) of the statutes is created to read:

8 20.370 (6) (es) *Environmental aids — urban development, conservation fund.*
9 Biennially, from the conservation fund, the amounts in the schedule for the
10 sustainable urban development zone program under s. 292.77.

11 **SECTION 333.** 20.370 (6) (et) of the statutes is created to read:

12 20.370 (6) (et) *Environmental aids — brownfield site assessment.* Biennially,
13 from the environmental fund, the amounts in the schedule for brownfield site
14 assessment grants under s. 292.75.

15 **SECTION 333b.** 20.370 (7) (aa) of the statutes, as affected by 1997 Wisconsin Act
16 27, section 412, is amended to read:

17 20.370 (7) (aa) *Resource acquisition and development — principal repayment*
18 *and interest.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of
19 principal and interest costs incurred in financing the placement of structures and fill
20 under s. 30.203, in financing the acquisition, construction, development,
21 enlargement or improvement of state recreation facilities under s. 20.866 (2) (tp) and
22 (tr), in financing state aids for land acquisition and development of local parks under
23 s. 20.866 (2) (tq), in financing land acquisition activities under s. 20.866 (2) (ts) and
24 (tt), in financing the aid program for dams under s. 20.866 (2) (tx), in financing ice
25 age trail development under s. 20.866 (2) (tw) ~~and~~, in ~~funding~~ financing the Warren

1 Knowles–Gaylord Nelson stewardship program under s. 20.866 (2) (tz) and in
2 financing the Warren Knowles–Gaylord Nelson stewardship 2000 program under s.
3 20.866 (2) (ta), but not including payments made under sub. (7) pars. (ac) and (au).

4 **SECTION 333bc.** 20.370 (7) (aa) of the statutes, as affected by 1999 Wisconsin
5 Act (this act), is repealed and recreated to read:

6 20.370 (7) (aa) *Resource acquisition and development — principal repayment*
7 *and interest.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of
8 principal and interest costs incurred in financing the placement of structures and fill
9 under s. 30.203, in financing the acquisition, construction, development,
10 enlargement or improvement of state recreation facilities under s. 20.866 (2) (tp) and
11 (tr), in financing state aids for land acquisition and development of local parks under
12 s. 20.866 (2) (tq), in financing land acquisition activities under s. 20.866 (2) (ts) and
13 (tt), in financing the aid program for dams under s. 20.866 (2) (tx), in financing ice
14 age trail development under s. 20.866 (2) (tw), in financing the Warren
15 Knowles–Gaylord Nelson stewardship program under s. 20.866 (2) (tz) and in
16 financing the Warren Knowles–Gaylord Nelson stewardship 2000 program under s.
17 20.866 (2) (ta), but not including payments made under par. (ac).

18 **SECTION 333d.** 20.370 (7) (ag) of the statutes is created to read:

19 20.370 (7) (ag) *Land acquisition — principal repayment and interest.* All
20 moneys received from proceeds from the sale of land under s. 23.0917 (5m) (b) 2. to
21 reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred
22 in financing land acquisition under s. 23.0917 (5m) from the appropriation under s.
23 20.866 (2) (ta).

24 **SECTION 333f.** 20.370 (7) (au) of the statutes is created to read:

1 20.370 (7) (au) *State forest acquisition and development — principal*
2 *repayment and interest.* From the conservation fund, the amounts in the schedule
3 to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred
4 in financing land acquisition and development for state forests from the
5 appropriations under s. 20.866 (2) (ta) and (tz).

6 **SECTION 333h.** 20.370 (7) (au) of the statutes, as created by 1999 Wisconsin Act
7 (this act), is repealed.

8 **SECTION 333n.** 20.370 (7) (ce) of the statutes is amended to read:

9 20.370 (7) (ce) *Principal repayment and interest — nonpoint source*
10 *compliance.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of
11 principal and interest costs incurred in financing nonpoint source ~~compliance~~
12 projects under s. 20.866 (2) (tf) and to make the payments determined by the building
13 commission under s. 13.488 (1) (m) that are attributable to the proceeds of
14 obligations incurred in financing those projects.

15 **SECTION 333p.** 20.370 (7) (cf) of the statutes is created to read:

16 20.370 (7) (cf) *Principal repayment and interest — urban nonpoint source*
17 *cost-sharing.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of
18 principal and interest costs incurred in financing cost-sharing grants for urban
19 nonpoint source water pollution abatement and storm water management projects
20 under s. 20.866 (2) (th) and to make the payments determined by the building
21 commission under s. 13.488 (1) (m) that are attributable to the proceeds of
22 obligations incurred in financing those grants.

23 **SECTION 333r.** 20.370 (7) (da) of the statutes is created to read:

24 20.370 (7) (da) *Principal repayment and interest — municipal flood control and*
25 *riparian restoration cost-sharing.* A sum sufficient to reimburse s. 20.866 (1) (u) for

1 the payment of principal and interest costs incurred in financing cost-sharing grants
2 for municipal flood control and riparian restoration projects under s. 20.866 (2) (ti)
3 and to make the payments determined by the building commission under s. 13.488
4 (1) (m) that are attributable to the proceeds of obligations incurred in financing those
5 grants.

6 **SECTION 334.** 20.370 (7) (fk) of the statutes is created to read:

7 20.370 (7) (fk) *Resource acquisition and development — service funds;*
8 *transportation moneys.* All moneys received by the department from the department
9 of transportation for the acquisition of land for, or for construction or development
10 of, facilities, or for materials or services provided by the department, to pay for
11 expenses associated with those facilities, materials or services.

12 **SECTION 334m.** 20.370 (8) (mc) of the statutes is created to read:

13 20.370 (8) (mc) *General fund transfer.* From the general fund, a sum sufficient
14 to transfer \$500,000 to the fish and wildlife account of the conservation fund in fiscal
15 year 2000–01 and in each fiscal year thereafter.

16 **SECTION 335.** 20.370 (8) (mg) of the statutes is amended to read:

17 20.370 (8) (mg) *General program operations — stationary sources.* From the
18 general fund, from the moneys received from fees imposed under s. 285.69 (2) (a) and
19 (e), the amounts in the schedule for the administration of the operation permit
20 program under ch. 285 and s. 299.15.

21 **SECTION 335m.** 20.370 (8) (mh) of the statutes is repealed.

22 **SECTION 336.** 20.370 (8) (mt) of the statutes is amended to read:

23 20.370 (8) (mt) *Equipment pool operations.* All moneys received by the
24 department from the department or from other state agencies from car, truck,
25 airplane, heavy equipment, information technology or radio pools for operation,

1 maintenance, replacement and purchase of vehicles, equipment, radio services and
2 information technology.

3 **SECTION 337.** 20.370 (9) (hk) of the statutes is created to read:

4 20.370 (9) (hk) *Approval fees to Lac du Flambeau band–service funds.* From
5 the general fund, the amounts in the schedule for the purpose of making payments
6 to the Lac du Flambeau band of the Lake Superior Chippewa under s. 29.2295 (4) (a).
7 All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 8r.
8 shall be credited to this appropriation account.

9 **SECTION 338.** 20.370 (9) (ht) of the statutes is amended to read:

10 20.370 (9) (ht) *Approval fees to Lac du Flambeau band.* A sum sufficient that
11 is equal to the amount calculated under s. 29.2295 (4) (b), for the purpose of making
12 necessary to make full payments to the Lac du Flambeau band of the Lake Superior
13 Chippewa under s. 29.2295 (4) ~~(a)~~ (c) 2.

14 **SECTION 339.** 20.370 (9) (hu) of the statutes is amended to read:

15 20.370 (9) (hu) *Handling and other fees.* All moneys received by the
16 department under s. ~~ss. 23.33 (2) (o), 29.556, 30.52 (1m) (e) and 350.12 (3h) (g)~~ for the
17 handling of approvals by the department under s. 29.556 licensing, for the issuing
18 and renewing of certificates by the department under ss. 23.33 (2) (i), 30.52 (1m) and
19 350.12 (3h).

20 **SECTION 341.** 20.370 (9) (mh) of the statutes is amended to read:

21 20.370 (9) (mh) *General program operations — stationary sources.* From the
22 general fund, from the moneys received from fees imposed under s. 285.69 (2) (a) and
23 (e), the amounts in the schedule for customer service, communications and aids
24 administration for the operation permit program under ch. 285 and s. 299.15.

25 **SECTION 341h.** 20.370 (9) (mt) of the statutes is amended to read:

1 20.370 (9) (mt) *Aids administration — environmental improvement programs;*
2 *state funds.* From the environmental improvement fund, the amounts in the
3 schedule for the administration of ss. 281.58, ~~280.60~~ 281.595, 281.60, 281.61 and
4 281.62.

5 **SECTION 341k.** 20.370 (9) (mx) of the statutes is amended to read:

6 20.370 (9) (mx) *Aids administration — clean water fund program; federal*
7 *funds.* From the clean water fund program federal revolving loan fund account in
8 the environmental improvement fund, all moneys received from the federal
9 government to administer the clean water fund program and the urban storm water
10 loan program, as authorized by the governor under s. 16.54, for the administration
11 of the clean water fund program and the urban storm water loan program under s.
12 ss. 281.58 or, 281.59 and 281.595.

13 **SECTION 342.** 20.380 (1) (b) of the statutes is amended to read:

14 20.380 (1) (b) *Tourism marketing: general purpose revenue.* The amounts in the
15 schedule for tourism marketing service expenses and the execution of the functions
16 under ss. 41.11 (4) and 41.17 and the grants under 1997 Wisconsin Act 27, section
17 9148 (2f) and (2x). In each fiscal year, the department shall expend for tourism
18 marketing service expenses and the execution of the functions under ss. 41.11 (4) and
19 41.17 an amount that bears the same proportion to the amount in the schedule for
20 the fiscal year as the amount expended under par. (kg) in that fiscal year bears to the
21 amount in the schedule for par. (kg) for that fiscal year. Of the amounts under this
22 paragraph, not more than 50% shall be used to match funds allocated under s. 41.17
23 by private or public organizations for the joint effort marketing of tourism with the
24 state. The department shall expend at least \$125,000 in each fiscal year from this
25 appropriation to conduct or contract for marketing activities related to sporting

1 activities and events. Of the amounts in the schedule, \$25,000 shall be allocated in
2 each fiscal year for state sponsorship of, and advertising during, media broadcasts
3 of the Milwaukee symphony. Of the amounts in the schedule, \$50,000 shall be
4 allocated in each fiscal year for grants to America's Black Holocaust Museum in the
5 city of Milwaukee.

6 **SECTION 342g.** 20.380 (1) (c) of the statutes is created to read:

7 20.380 (1) (c) *Internet referral system grants.* Biennially, the amounts in the
8 schedule for the grants under 1999 Wisconsin Act (this act), section 9149 (2rs).

9 **SECTION 342h.** 20.380 (1) (c) of the statutes, as created by this act, is repealed.

10 **SECTION 342m.** 20.380 (1) (kd) of the statutes is repealed.

11 **SECTION 343.** 20.380 (1) (kg) of the statutes is created to read:

12 20.380 (1) (kg) *Tourism marketing; gaming revenue.* All moneys transferred
13 from the appropriation account under s. 20.505 (8) (hm) 6. for tourism marketing
14 service expenses and the execution of the functions under ss. 41.11 (4) and 41.17 and
15 for the grants under 1999 Wisconsin Act (this act), section 9149 (1to), (2c), (2tw)
16 and (3e). In each fiscal year, the department shall expend for tourism marketing
17 service expenses and the execution of the functions under ss. 41.11 (4) and 41.17 an
18 amount that bears the same proportion to the amount in the schedule for the fiscal
19 year as the amount expended under par. (b) in that fiscal year bears to the amount
20 in the schedule for par. (b) for that fiscal year. Of the amounts in the schedule,
21 \$200,000 shall be allocated in each fiscal year for grants to the Milwaukee Public
22 Museum for Native American exhibits and activities.

23 **SECTION 343d.** 20.380 (1) (km) of the statutes is created to read:

24 20.380 (1) (km) *Tourist information assistant.* The amounts in the schedule to
25 pay for a tourist information assistant. All moneys transferred from the

1 appropriation account under s. 20.505 (8) (hm) 6. shall be credited to this
2 appropriation account.

3 **SECTION 344.** 20.395 (1) (cq) of the statutes is amended to read:

4 20.395 (1) (cq) *Elderly and disabled capital aids, state funds.* ~~The As a~~
5 ~~continuing appropriation, the~~ amounts in the schedule for specialized transportation
6 capital assistance for the elderly and disabled under s. 85.22.

7 **SECTION 344m.** 20.395 (1) (hq) of the statutes is amended to read:

8 20.395 (1) (hq) *Tier A transit operating aids, state funds.* The amounts in the
9 schedule for mass transit aids under s. 85.20 (4m) (a) 6. This paragraph does not
10 apply after December 31, 1999.

11 **SECTION 345gm.** 20.395 (1) (ht) of the statutes is created to read:

12 20.395 (1) (ht) *Tier A-1 transit operating aids, state funds.* The amounts in the
13 schedule for mass transit aids under s. 85.20 (4m) (a) 6. cm.

14 **SECTION 345gr.** 20.395 (1) (hu) of the statutes is created to read:

15 20.395 (1) (hu) *Tier A-2 transit operating aids, state funds.* The amounts in the
16 schedule for mass transit aids under s. 85.20 (4m) (a) 6. d.

17 **SECTION 345Lm.** 20.395 (2) (cq) of the statutes is amended to read:

18 20.395 (2) (cq) *Harbor assistance, state funds.* As a continuing appropriation,
19 the amounts in the schedule for harbor assistance under s. 85.095 (2) (a) ~~and~~, for
20 administration of the harbor assistance program under s. 85.095 and for grants
21 under 1999 Wisconsin Act (this act), section 9150 (4f).

22 **SECTION 345m.** 20.395 (2) (ct) of the statutes is created to read:

23 20.395 (2) (ct) *Passenger railroad station improvement grants, state funds.*
24 Biennially, the amounts in the schedule to make passenger railroad station
25 improvement grants under s. 85.055.

1 **SECTION 345n.** 20.395 (2) (cu) of the statutes is created to read:

2 20.395 (2) (cu) *Passenger railroad station improvement grants, local funds.* All
3 moneys received from any local unit of government or other sources for passenger
4 railroad station improvements under s. 85.055, for such purposes.

5 **SECTION 346.** 20.395 (2) (dq) of the statutes is amended to read:

6 20.395 (2) (dq) *Aeronautics assistance, state funds.* As a continuing
7 appropriation, the amounts in the schedule for the state's share of airport projects
8 under ss. 114.34 and 114.35; for developing air marking and other air navigational
9 facilities; for administration of the powers and duties of the secretary of
10 transportation under s. 114.31; for costs associated with aeronautical activities
11 under s. 114.31, except for the program under s. 114.31 (3) (b); and for the
12 administration of other aeronautical activities, except aircraft registration under s.
13 114.20, authorized by law.

14 **SECTION 346c.** 20.395 (2) (ds) of the statutes is created to read:

15 20.395 (2) (ds) *Aviation career education, state funds.* The amounts in the
16 schedule for an aviation career education program under s. 114.31 (3) (b).

17 **SECTION 346m.** 20.395 (2) (gr) of the statutes is amended to read:

18 20.395 (2) (gr) *Railroad crossing improvement and protection installation,*
19 *state funds.* As a continuing appropriation, the amounts in the schedule to pay the
20 costs for railroad crossing protection improvements under s. 195.28 (2) and for the
21 installation of railroad crossing gates under 1999 Wisconsin Act (this act), section
22 9150 (9g).

23 **SECTION 346q.** 20.395 (2) (gx) of the statutes is amended to read:

24 20.395 (2) (gx) *Railroad crossing improvement, federal funds.* All moneys
25 received from the federal government for the purposes of railroad crossing protection

1 under s. 195.28 and for the purposes of railroad crossing gates under 1999 Wisconsin
2 Act (this act), section 9150 (9g), for such purposes.

3 **SECTION 346t.** 20.395 (2) (jx) of the statutes is amended to read:

4 20.395 (2) (jx) *Surface transportation grants, federal funds.* All moneys
5 received from the federal government for purposes of surface transportation
6 discretionary grants under s. 85.243, other than grants for the planning, design and
7 construction of bicycle and pedestrian facilities, for such purposes.

8 **SECTION 346w.** 20.395 (2) (kx) of the statutes is amended to read:

9 20.395 (2) (kx) *Congestion mitigation and air quality improvement, federal*
10 *funds.* All moneys received from the federal government for the purposes of
11 congestion mitigation and air quality improvement under s. 85.245, other than for
12 the planning, design and construction of bicycle and pedestrian facilities, for such
13 purposes.

14 **SECTION 346y.** 20.395 (2) (nx) of the statutes is amended to read:

15 20.395 (2) (nx) *Transportation enhancement activities, federal funds.* All
16 moneys received from the federal government for purposes of transportation
17 enhancement activities under s. 85.026 and for grants under s. 85.024, other than
18 for the planning, design and construction of bicycle and pedestrian facilities, for such
19 purposes.

20 **SECTION 347.** 20.395 (2) (ny) of the statutes is created to read:

21 20.395 (2) (ny) *Milwaukee lakeshore walkway, federal funds.* Biennially, from
22 the moneys received from the federal government under P.L. 102–240, section 1045,
23 and P.L. 105–277, section 373, the amounts in the schedule for the purpose of
24 awarding grants under 1999 Wisconsin Act (this act), section 9150 (3). No moneys
25 may be encumbered under this paragraph after June 30, 2002.

1 **SECTION 347d.** 20.395 (2) (ox) of the statutes is created to read:

2 20.395 (2) (ox) *Bicycle and pedestrian facilities grants, federal funds.* All
3 federal moneys received for the purposes of awarding grants and funding projects for
4 the planning, design or construction of bicycle and pedestrian facilities under ss.
5 85.024, 85.026 (2) (b), 85.243 (2) (am) and 85.245 (1m), for such purposes.

6 **SECTION 348.** 20.395 (3) (cq) of the statutes is amended to read:

7 20.395 (3) (cq) *State highway rehabilitation, state funds.* As a continuing
8 appropriation, the amounts in the schedule for improvement of existing state trunk
9 and connecting highways; for improvement of bridges on state trunk or connecting
10 highways and other bridges for which improvement is a state responsibility, for
11 necessary approach work for such bridges and for replacement of such bridges with
12 at-grade crossing improvements; for the construction and rehabilitation of the
13 national system of interstate and defense highways and bridges and related
14 appurtenances; for special maintenance activities under s. 84.04 on roadside
15 improvements; for bridges under s. 84.10; for payment to a local unit of government
16 for a jurisdictional transfer under s. 84.02 (8); ~~and~~ for the disadvantaged business
17 demonstration and training program under s. 84.076; for the transfers required
18 under 1999 Wisconsin Act ... (this act), section 9250 (1); and for the purposes
19 described under 1999 Wisconsin Act ... (this act), section 9150 (7e) and (8g).

20 **SECTION 349.** 20.395 (3) (eq) of the statutes is amended to read:

21 20.395 (3) (eq) *Highway maintenance, repair and traffic operations, state*
22 *funds.* Biennially, the amounts in the schedule for the maintenance and repair of
23 roadside improvements under s. 84.04, state trunk highways under s. 84.07 and
24 bridges that are not on the state trunk highway system under s. 84.10; for highway
25 operations such as permit issuance, pavement marking, highway signing, traffic

1 signalization and highway lighting under ss. 84.04, 84.07, 84.10 and 348.25 to 348.27
2 and ch. 349; ~~for the grant under 1997 Wisconsin Act 27, section 9149 (3d) for the~~
3 scenic byway program under s. 84.106; and for the disadvantaged business
4 demonstration and training program under s. 84.076. This paragraph does not apply
5 to special maintenance activities under s. 84.04 on roadside improvements.

6 **SECTION 350.** 20.395 (3) (ev) of the statutes is amended to read:

7 20.395 (3) (ev) *Highway maintenance, repair and traffic operations, local*
8 *fun*ds. All moneys received from any local unit of government or other sources for
9 the maintenance and repair of roadside improvements under s. 84.04, state trunk
10 highways under s. 84.07 and bridges that are not on the state trunk highway system
11 under s. 84.10; for signing under s. 86.195; for highway operations such as permit
12 issuance, pavement marking, highway signing, traffic signalization and highway
13 lighting under ss. 84.04, 84.07, 84.10 and 348.25 to 348.27 and ch. 349; for the scenic
14 byway program under s. 84.106; and for the disadvantaged business demonstration
15 and training program under s. 84.076; for such purposes. This paragraph does not
16 apply to special maintenance activities under s. 84.04 on roadside improvements.

17 **SECTION 351.** 20.395 (3) (ex) of the statutes is amended to read:

18 20.395 (3) (ex) *Highway maintenance, repair and traffic operations, federal*
19 *fun*ds. All moneys received from the federal government for the maintenance and
20 repair of roadside improvements under s. 84.04, state trunk highways under s. 84.07
21 and bridges that are not on the state trunk highway system under s. 84.10; for
22 highway operations such as permit issuance, pavement marking, highway signing,
23 traffic signalization and highway lighting under ss. 84.04, 84.07, 84.10 and 348.25
24 to 348.27 and ch. 349; for the scenic byway program under s. 84.106; and for the
25 disadvantaged business demonstration and training program under s. 84.076; for

1 such purposes. This paragraph does not apply to special maintenance activities
2 under s. 84.04 on roadside improvements.

3 **SECTION 351g.** 20.395 (3) (gq) of the statutes is created to read:

4 20.395 (3) (gq) *Intelligent transportation systems, state funds.* The amounts in
5 the schedule for intelligent transportation systems under s. 84.014.

6 **SECTION 351h.** 20.395 (3) (gv) of the statutes is created to read:

7 20.395 (3) (gv) *Intelligent transportation systems, local funds.* All moneys
8 received from any local unit of government for purposes of intelligent transportation
9 systems under s. 84.014, for such purposes.

10 **SECTION 351j.** 20.395 (3) (gx) of the statutes is created to read:

11 20.395 (3) (gx) *Intelligent transportation systems, federal funds.* All moneys
12 received from the federal government for purposes of intelligent transportation
13 systems under s. 84.014, for such purposes.

14 **SECTION 352.** 20.395 (3) (ix) of the statutes is amended to read:

15 20.395 (3) (ix) *Administration and planning, federal funds.* All moneys
16 received from the federal government for the administration and planning of
17 departmental programs under subs. (1) to (3) and to transfer to the appropriation
18 account under s. 20.505 (1) (z) the amounts in the schedule under s. 20.505 (1) (z).

19 **SECTION 352m.** 20.395 (4) (as) of the statutes is repealed.

20 **SECTION 354.** 20.395 (4) (bh) of the statutes is repealed.

21 **SECTION 355.** 20.395 (5) (cq) of the statutes is amended to read:

22 20.395 (5) (cq) *Vehicle registration, inspection and maintenance ~~and~~, driver*
23 *licensing and aircraft registration, state funds.* The amounts in the schedule for
24 administering the vehicle registration and driver licensing program, including the
25 traffic violation and registration program and the driver license reinstatement

1 training program under s. 85.28, for administering the motor vehicle emission
2 inspection and maintenance program under s. 110.20, for the training of inspectors
3 under s. 110.22, for administering the fuel tax and fee reporting program under s.
4 341.45, for administering the aircraft registration program under s. 114.20 and to
5 compensate for services performed, as determined by the secretary of transportation,
6 by any county providing registration services.

7 **SECTION 356.** 20.395 (5) (di) of the statutes is amended to read:

8 20.395 (5) (di) *Chemical testing training and services, state funds.* From the
9 general fund, the amounts in the schedule for the chemical testing training and
10 services provided by the state traffic patrol. All moneys transferred from the
11 appropriation account under s. 20.435 (6) (hx) shall be credited to this appropriation
12 account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance in this
13 appropriation account on June 30 of each year shall be transferred to the
14 appropriation account under s. 20.435 (6) (hx).

15 **SECTION 357.** 20.395 (5) (dL) of the statutes is created to read:

16 20.395 (5) (dL) *Public safety radio management, state funds.* From the general
17 fund, all moneys received for purposes related to the statewide public safety radio
18 management program under s. 85.12, other than moneys credited to the
19 appropriation account under par. (dk), for that purpose.

20 **SECTION 358.** 20.395 (5) (dq) of the statutes is amended to read:

21 20.395 (5) (dq) *Vehicle inspection, traffic enforcement and radio management,*
22 *state funds.* The amounts in the schedule for administering the ambulance
23 inspection program under s. 341.085, the statewide public safety radio management
24 program under s. 85.12 ~~and~~, the vehicle inspection and traffic enforcement programs
25 and transfers under s. 85.32.

1 **SECTION 358m.** 20.395 (9) (td) of the statutes is amended to read:

2 20.395 (9) (td) *Real estate major cost carry-over.* ~~When Subject to s. 86.255.~~
3 when a highway, airport or railroad land acquisition project is approved by the
4 secretary under s. 84.09, 85.09 or 114.33, the moneys allocated for the project from
5 subs. (2) (bq), (dq) and (eq) and (3) (bq), (cq) and (eq) may be considered encumbered.

6 **SECTION 359.** 20.410 (1) (ac) of the statutes is repealed.

7 **SECTION 359g.** 20.410 (1) (gi) of the statutes is amended to read:

8 20.410 (1) (gi) *General operations.* The amounts in the schedule to operate
9 institutions and provide field services and administrative services. All moneys
10 received under s. ~~303.01 (8) that are attributable to moneys collected from earnings~~
11 ~~of inmates and residents under s. 303.01 (2) (em) and all moneys received under ss.~~
12 302.386 (2m) and (3) (d) and 303.065 (6) shall be credited to this appropriation
13 account.

14 **SECTION 359r.** 20.410 (1) (hm) of the statutes is repealed.

15 **SECTION 360.** 20.410 (1) (jp) of the statutes is renumbered 20.410 (1) (kp) and
16 amended to read:

17 20.410 (1) (kp) *Correctional officer training.* The amounts in the schedule to
18 finance correctional officers training under s. 301.28. All moneys received ~~from the~~
19 ~~penalty assessment surcharge on court fines and forfeitures as allocated~~ transferred
20 from the appropriation account under s. ~~165.87 (1)~~ 20.505 (6) (j) 6. shall be credited
21 to this appropriation account.

22 **SECTION 361d.** 20.410 (1) (kh) of the statutes is created to read:

23 20.410 (1) (kh) *Victim services and programs.* The amounts in the schedule for
24 the administration of victim services and programs. All moneys transferred from the

1 appropriation account under s. 20.505 (6) (j) 5m. shall be credited to this
2 appropriation account.

3 **SECTION 361m.** 20.410 (1) (km) of the statutes is amended to read:

4 20.410 (1) (km) *Prison industries.* The amounts in the schedule for the
5 establishment and operation of prison industries, ~~but not including the program~~
6 ~~under s. 303.01 (2) (em).~~ All moneys received from prison industries sales shall be
7 credited to this appropriation. All moneys credited to this appropriation shall be
8 expended first for the purpose under par. (ko). No expenditure may be made from
9 this appropriation for the construction of buildings or purchase of equipment for new
10 prison industries, except upon approval of the joint committee on finance after a
11 determination that the moneys are needed and that no other appropriation is
12 available for that purpose.

13 **SECTION 362m.** 20.410 (1) (kw) of the statutes is repealed.

14 **SECTION 362z.** 20.410 (1) (qm) of the statutes is created to read:

15 20.410 (1) (qm) *Computer recycling.* From the recycling fund, the amounts in
16 the schedule for the department to recycle computers.

17 **SECTION 363n.** 20.410 (3) (ba) of the statutes is created to read:

18 20.410 (3) (ba) *Mendota juvenile treatment center.* The amounts in the schedule
19 for services for juveniles placed at the Mendota Juvenile Treatment Center as
20 provided in s. 46.057 (2).

21 **SECTION 363np.** 20.410 (3) (bb) of the statutes is created to read:

22 20.410 (3) (bb) *Juvenile boot camp program.* The amounts in the schedule to
23 operate the juvenile boot camp program under s. 938.532.

24 **SECTION 364d.** 20.410 (3) (cg) of the statutes is amended to read:

1 20.410 (3) (cg) *Serious juvenile offenders*. ~~The Biennially, the amounts in the~~
2 schedule for juvenile correctional institution, corrective sanctions, alternate care,
3 aftercare and other juvenile program services specified in s. 938.538 (3) provided for
4 the persons specified in s. 301.26 (4) (cm), for juvenile correctional institution
5 services for persons placed in juvenile correctional institutions under s. 973.013 (3m)
6 and for juvenile correctional services for persons under 18 years of age placed with
7 the department under s. 48.366 (8). ~~Notwithstanding s. 20.001 (3) (a), the~~
8 ~~unencumbered balance of this appropriation account on June 30 of each fiscal year~~
9 ~~is transferred to the appropriation account under par. (cd).~~

10 **SECTION 365.** 20.410 (3) (hm) of the statutes is amended to read:

11 20.410 (3) (hm) *Juvenile correctional services*. Except as provided in pars. (ho)
12 and (hr), the amounts in the schedule for juvenile correctional services specified in
13 s. 301.26 (4) (c) and (d) and to operate the correctional institution authorized under
14 1997 Wisconsin Act 4, section 4 (1) (a). All moneys received from the sale of surplus
15 property, including vehicles, from juvenile correctional institutions operated by the
16 department, all moneys received as payments in restitution of property damaged at
17 juvenile correctional institutions operated by the department, all moneys received
18 from miscellaneous services provided at a juvenile correctional institution operated
19 by the department, all moneys transferred under s. 301.26 (4) (cm), all moneys
20 received under 1997 Wisconsin Act 27, section 9111 (2u) and, except as provided in
21 par. (hr), all moneys received in payment for juvenile correctional services specified
22 in s. 301.26 (4) (d) ~~and~~, (dt) and (g) shall be credited to this appropriation account.
23 If moneys generated by the daily rate under s. 301.26 (4) (d) exceed actual fiscal year
24 institutional costs, other than the cost of operating the correctional institution
25 authorized under 1997 Wisconsin Act 4, section 4 (1) (a), by 2% or more, all moneys

1 in excess of that 2% shall be remitted to the counties during the subsequent calendar
2 year or transferred to the appropriation account under par. (kx) during the
3 subsequent fiscal year. Each county and the department shall receive a
4 proportionate share of the remittance and transfer depending on the total number
5 of days of placement at juvenile correctional institutions including the Mendota
6 Juvenile Treatment Center. Counties shall use the funds for purposes specified in
7 s. 301.26. The department shall deposit in the general fund the amounts transferred
8 under this paragraph to the appropriation account under par. (kx).

9 **SECTION 367.** 20.410 (3) (kj) of the statutes is amended to read:

10 20.410 (3) (kj) *Youth diversion program.* Biennially, the The amounts in the
11 schedule for youth diversion services under s. 301.265 (1) and (3). All moneys
12 transferred from the appropriation account under s. 20.505 (6) ~~(g)~~ (j) 8. shall be
13 credited to this appropriation account.

14 **SECTION 367m.** 20.425 (1) (h) of the statutes is amended to read:

15 20.425 (1) (h) *Collective bargaining training.* The amounts in the schedule for
16 the cost of training programs under ss. 111.09 (3), 111.71 (5) and 111.94 (3). All
17 moneys received from arbitrators and arbitration panel members, and individuals
18 who are interested in serving in such positions, and from individuals and
19 organizations who participate in other collective bargaining training programs
20 conducted by the commission, ~~for the cost of training programs under ss. 111.09 (3),~~
21 ~~111.71 (5) and 111.94 (3)~~ shall be credited to this appropriation account.

22 **SECTION 368g.** 20.425 (1) (ka) of the statutes is repealed.

23 **SECTION 368m.** 20.432 (1) (kc) of the statutes is repealed.

24 **SECTION 368r.** 20.433 (1) (h) of the statutes is amended to read:

1 20.433 (1) (h) *Grants to organizations.* All moneys received under s. 69.22 (1)
2 (c), ~~except the amounts appropriated under s. 20.435 (5) (jk),~~ less the amounts
3 appropriated under par. (g), to be used for grants to organizations under s. 48.982 (4),
4 (6) and (7).

5 **SECTION 368s.** 20.433 (1) (h) of the statutes, as affected by 1999 Wisconsin Act
6 (this act), is amended to read:

7 20.433 (1) (h) *Grants to organizations.* All moneys received under s. 69.22 (1)
8 (c), ~~except the amounts appropriated under s. 20.435 (5) (jk),~~ less the amounts
9 appropriated under par. (g), to be used for grants to organizations under s. 48.982 (4),
10 (6) and (7).

11 **SECTION 369d.** 20.433 (1) (q) of the statutes is amended to read:

12 20.433 (1) (q) *Children's trust fund grants.* From the children's trust fund, all
13 moneys received as contributions, grants, gifts and bequests for that trust fund
14 under s. 48.982 (2) (d) or (2e) (a), other than moneys received under s. 341.14 (6r) (b)
15 6., and all interest earned on moneys received under s. 341.14 (6r) (b) 6., less the
16 amounts appropriated under par. (r), to carry out the purposes for which made and
17 received under s. 48.982 (2m) (a).

18 **SECTION 370g.** 20.434 (1) (ka) of the statutes is repealed.

19 **SECTION 370m.** 20.434 (1) (kp) of the statutes is created to read:

20 20.434 (1) (kp) *Interagency and intra-agency programs.* All moneys received
21 from other state agencies for the administration of the adolescent pregnancy
22 prevention programs and pregnancy services under s. 46.93, for that purpose.

23 **SECTION 371.** 20.434 (1) (ky) of the statutes is created to read:

1 20.434 (1) (ky) *Interagency and intra-agency aids; pregnancy prevention and*
2 *services.* All moneys received from other state agencies and all moneys received by
3 the board from the board for providing grants under s. 46.93 (2), for such purposes.

4 **SECTION 372.** 20.435 (1) (title) of the statutes is amended to read:

5 20.435 (1) (title) HEALTH PUBLIC HEALTH SERVICES PLANNING, REGULATION AND
6 DELIVERY; STATE OPERATIONS.

7 **SECTION 373.** 20.435 (1) (a) of the statutes is amended to read:

8 20.435 (1) (a) *General program operations.* The amounts in the schedule for
9 general program operations, including public health services regulation,
10 administration and field services.

11 **SECTION 374.** 20.435 (1) (bm) of the statutes is renumbered 20.435 (4) (bm) and
12 amended to read:

13 20.435 (4) (bm) *Medical assistance administration.* Biennially, the amounts
14 in the schedule to provide the state share of administrative contract costs for the
15 medical assistance program under ss. 49.45 and 49.665, to reimburse insurers for
16 their costs under s. 49.475 ~~and~~, for costs associated with outreach activities and for
17 services of resource centers under s. 46.283. No state positions may be funded in the
18 department of health and family services from this appropriation, except positions
19 for the performance of duties under a contract in effect before January 1, 1987,
20 related to the administration of the medical assistance program between the subunit
21 of the department primarily responsible for administering the medical assistance
22 program and another subunit of the department. Total administrative funding
23 authorized for the program under s. 49.665 may not exceed 10% of the amounts
24 budgeted under ~~sub. (5) pars.~~ (bc) and (p).

25 **SECTION 375.** 20.435 (1) (cg) of the statutes is repealed.

1 **SECTION 376.** 20.435 (1) (gm) of the statutes is amended to read:

2 20.435 (1) (gm) *Licensing, review and certifying activities; fees; supplies and*
3 *services.* The amounts in the schedule for the purposes specified in ss. 146.50 (8),
4 250.05 (6), 252.23, 252.24, 252.245, 254.176, 254.178, 254.20 (5) and (8), 254.31 to
5 254.39, 254.41, 254.47, 254.61 to 254.89 and 255.08 (2) and ch. 150 69, for the
6 purchase and distribution of medical supplies and to analyze and provide data under
7 s. 250.04. All moneys received under ss. 146.50 (5) (f), (8) (d), ~~150.13~~, 250.04 (3m),
8 250.05 (6), 252.23 (4) (a), 252.24 (4) (a), 252.245 (9), 254.176, 254.178, 254.20 (5) and
9 (8), 254.31 to 254.39, 254.41, 254.47, 254.61 to 254.89 and 255.08 (2) (b) and ch. 69
10 and as reimbursement for medical supplies shall be credited to this appropriation
11 account. ~~From the fees collected under s. 50.135 (2), \$444,700 in fiscal year 1997–98~~
12 ~~and \$451,600 in fiscal year 1998–99 shall be credited to this appropriation account.~~

13 **SECTION 377d.** 20.435 (1) (gp) of the statutes is renumbered 20.435 (4) (gp) and
14 amended to read:

15 20.435 (4) (gp) *Health care and graduate medical education; aids.* All moneys
16 received under s. 146.99, to be first used for a grant under 1999 Wisconsin Act ... (this
17 act), section 9123 (12m), and, of the remaining amounts, 50% to be used in each fiscal
18 year for purchase of primary health care services under s. 146.93 and 50% to be used
19 in each fiscal year for graduate medical education payments for training of providers
20 under the medical assistance program under ss. 49.45 to 49.499.

21 **SECTION 378.** 20.435 (1) (hg) of the statutes is renumbered 20.435 (4) (hg).

22 **SECTION 379.** 20.435 (1) (hi) of the statutes is renumbered 20.435 (4) (hi).

23 **SECTION 380.** 20.435 (1) (in) of the statutes is renumbered 20.435 (4) (in).

24 **SECTION 381.** 20.435 (1) (j) of the statutes is repealed.

25 **SECTION 382.** 20.435 (1) (km) of the statutes is repealed.

1 **SECTION 383.** 20.435 (1) (kx) of the statutes is amended to read:

2 20.435 (1) (kx) *Interagency and intra-agency programs.* All moneys received
3 from other state agencies and all moneys received by the department from the
4 department not directed to be deposited under ~~par. (km) or~~ sub. (6) (k) for the
5 administration of programs or projects for which received.

6 **SECTION 384.** 20.435 (1) (p) of the statutes is renumbered 20.435 (4) (pa) and
7 amended to read:

8 20.435 (4) (pa) *Federal aid; medical assistance contracts administration.* All
9 federal moneys received for the federal share of the cost of contracting for payment
10 and services administration and reporting, and to reimburse insurers for their costs
11 under s. 49.475 and for services of resource centers under s. 46.283.

12 **SECTION 386b.** 20.435 (1) (u) of the statutes is renumbered 20.435 (4) (u) and
13 amended to read:

14 20.435 (4) (u) *Health insurance risk-sharing plan; administration.* The
15 Biennially, from the health insurance risk-sharing plan fund, the amounts in the
16 schedule from the health insurance risk-sharing plan fund for the administration
17 of ch. 149, subject to s. 149.143 (2m).

18 **SECTION 387g.** 20.435 (2) (a) of the statutes is amended to read:

19 20.435 (2) (a) *General program operations.* The amounts in the schedule to
20 operate institutions, to provide administrative services and to evaluate, treat and
21 care for persons under ch. 980, including persons placed on supervised release under
22 s. 980.06 (2), 1997 stats., or s. 980.08.

23 **SECTION 387m.** 20.435 (2) (bj) of the statutes is amended to read:

24 20.435 (2) (bj) *Conditional and supervised release treatment and services.*
25 Biennially, the amounts in the schedule for payment by the department of costs for

1 treatment and services for persons released under s. 980.06 (2) (c), 1997 stats., or s.
2 971.17 (3) (d) or (4) (e), 980.06 (2) (e) or 980.08 (5), for which the department has
3 contracted with county departments under s. 51.42 (3) (aw) 1. d., with other public
4 agencies or with private agencies to provide the treatment and services.

5 **SECTION 388m.** 20.435 (2) (bm) of the statutes is amended to read:

6 20.435 (2) (bm) *Secure mental health units or facilities.* The amounts in the
7 schedule for the general program operations of secure mental health units or
8 facilities under s. 980.065 for persons committed to institutional care under s. 980.06
9 ~~(2) (b)~~ and placed in a secure mental health unit or facility.

10 **SECTION 389.** 20.435 (2) (gk) of the statutes is amended to read:

11 20.435 (2) (gk) *Institutional operations and charges.* The amounts in the
12 schedule for care provided by the centers for the developmentally disabled to
13 reimburse the cost of providing the services and to remit any credit balances to
14 county departments that occur on and after July 1, 1978, in accordance with s.
15 51.437 (4rm) (c); for care provided by the mental health institutes, to reimburse the
16 cost of providing the services and to remit any credit balances to county departments
17 that occur on and after January 1, 1979, in accordance with s. 51.42 (3) (as) 2.; for
18 maintenance of state-owned housing at centers for the developmentally disabled
19 and mental health institutes; for repair or replacement of property damaged at the
20 mental health institutes or at centers for the developmentally disabled; and for
21 reimbursing the total cost of using, producing and providing services, products and
22 care. All moneys received as payments from medical assistance on and after
23 August 1, 1978; as payments from all other sources including other payments under
24 s. 46.10 and payments under s. 51.437 (4rm) (c) received on and after July 1, 1978;
25 as medical assistance payments, other payments under s. 46.10 and payments under

1 s. 51.42 (3) (as) 2. received on and after January 1, 1979; as payments under s. 51.07
2 (4) 46.043; as payments for the rental of state–owned housing and other institutional
3 facilities at centers for the developmentally disabled and mental health institutes;
4 for the sale of electricity, steam or chilled water; as payments in restitution of
5 property damaged at the mental health institutes or at centers for the
6 developmentally disabled; for the sale of surplus property, including vehicles, at the
7 mental health institutes or at centers for the developmentally disabled; and for other
8 services, products and care shall be credited to this appropriation, except that any
9 payment under s. 46.10 received for the care or treatment of patients admitted under
10 s. 51.10, 51.15 or 51.20 for which the state is liable under s. 51.05 (3), of patients
11 admitted under s. 55.06 (9) (d) or (e) for which the state is liable under s. 55.05 (1),
12 of forensic patients committed under ch. 971 or 975, admitted under ch. 975 or
13 transferred under s. 51.35 (3) or of patients transferred from a state prison under s.
14 51.37 (5), to Mendota mental health institute or Winnebago mental health institute
15 shall be treated as general purpose revenue — earned, as defined under s. 20.001 (4).

16 **SECTION 390.** 20.435 (3) (bc) of the statutes is created to read:

17 20.435 (3) (bc) *Grants for children’s community programs.* The amounts in the
18 schedule for grants for children’s community programs under s. 46.481.
19 Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department may transfer funds
20 between fiscal years under this paragraph. All moneys under this appropriation
21 account that are distributed under s. 46.481 but are not encumbered by December
22 31 of each year lapse to the general fund on the next January 1 unless carried forward
23 to the next calendar year by the joint committee on finance.

24 **SECTION 390d.** 20.435 (3) (bm) of the statutes is created to read:

1 20.435 (3) (bm) *Services for children and families*. A sum sufficient, equal to
2 the amount determined under s. 77.63 (2), for grants to counties under s. 46.513.

3 **SECTION 390m.** 20.435 (3) (cz) of the statutes is repealed.

4 **SECTION 391g.** 20.435 (3) (dd) of the statutes is amended to read:

5 20.435 (3) (dd) *State foster care and adoption services*. The amounts in the
6 schedule for foster care, treatment foster care, institutional child care and subsidized
7 adoptions under ss. 48.48 (12) and 48.52, for the cost of care for children under s.
8 49.19 (10) (d) and, for the cost of the foster care monitoring system, for the cost of
9 providing, or contracting with private adoption agencies to assist the department in
10 providing, services to children with special needs who are under the guardianship
11 of the department to prepare those children for adoption and for the cost of providing
12 postadoption services to children with special needs who have been adopted.

13 **SECTION 392.** 20.435 (3) (dg) of the statutes is amended to read:

14 20.435 (3) (dg) *State adoption information exchange and state adoption center*.
15 The amounts in the schedule to operate a state adoption information exchange under
16 s. ~~48.55~~ and a state adoption center under s. ~~48.551~~ 48.55.

17 **SECTION 393.** 20.435 (3) (dr) of the statutes is repealed.

18 **SECTION 394.** 20.435 (3) (eg) of the statutes is amended to read:

19 20.435 (3) (eg) ~~*Programs for adolescents and adolescent parents*~~ *Adolescent*
20 *services*. The amounts in the schedule ~~for the provision of adolescent self-sufficiency~~
21 ~~and pregnancy prevention programs under s. 46.995, for to provide~~ adolescent
22 services under s. 46.996 and for adolescent choices project grants under s. 46.997 (2).

23 **SECTION 395.** 20.435 (3) (eg) of the statutes, as affected by 1999 Wisconsin Act
24 (this act), is repealed and recreated to read:

1 20.435 (3) (eg) *Brighter futures initiative and tribal adolescent services*. The
2 amounts in the schedule for the brighter futures initiative under s. 46.99 and for
3 tribal adolescent services under s. 46.995.

4 **SECTION 396.** 20.435 (3) (fm) of the statutes is repealed.

5 **SECTION 397.** 20.435 (3) (i) of the statutes is repealed and recreated to read:

6 20.435 (3) (i) *Gifts and grants*. All moneys not appropriated under par. (gb) that
7 are received from gifts, grants, donations and burial trusts for the execution of the
8 department's functions relating to children and family services consistent with the
9 purpose of the gifts, grants, donations or trusts.

10 **SECTION 397g.** 20.435 (3) (kc) of the statutes is amended to read:

11 20.435 (3) (kc) *Interagency and intra-agency aids; kinship care and long-term*
12 *kinship care*. The amounts in the schedule for payments under s. 48.57 (3m) and, (3n)
13 and (3o). All moneys transferred from the appropriation account under s. 20.445 (3)
14 (md) to this appropriation account shall be credited to this appropriation account.
15 Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year
16 is transferred to the appropriation account under s. 20.445 (3) (ky).

17 **SECTION 397m.** 20.435 (3) (km) of the statutes is created to read:

18 20.435 (3) (km) *Federal block grant transfer; aids*. The amounts in the schedule
19 for the grants under ss. 46.95 (2) and 49.175 (1) (ze) 4. All moneys transferred from
20 the appropriation account under s. 20.445 (3) (md) shall be credited to this
21 appropriation account.

22 **SECTION 397r.** 20.435 (3) (km) of the statutes, as created by 1999 Wisconsin Act
23 (this act), is repealed and recreated to read:

24 20.435 (3) (km) *Federal block grant transfer; aids*. The amounts in the schedule
25 for grants under ss. 46.95 (2), 46.99 (2) (a), 46.995 (2), (3) (b) and (4m) (b) and 49.175

1 (1) (ze) 4. All moneys transferred from the appropriation account under s. 20.445 (3)
2 (md) shall be credited to this appropriation account.

3 **SECTION 398.** 20.435 (3) (me) of the statutes is created to read:

4 20.435 (3) (me) *Federal block grant local assistance.* All block grant moneys
5 received from the federal government, as authorized by the governor under s. 16.54,
6 for youth services local assistance, for the purposes for which received.

7 **SECTION 399g.** 20.435 (3) (pd) of the statutes is amended to read:

8 20.435 (3) (pd) *Federal aid; state foster care and adoption services.* All federal
9 moneys received for meeting the costs of providing foster care, treatment foster care
10 and, institutional child care under s. 48.52, and for and subsidized adoptions under
11 ss. 48.48 (12) and 48.52, the cost of care for children under s. 49.19 (10) (d), the cost
12 of providing, or contracting with private adoption agencies to assist the department
13 in providing, services to children with special needs who are under the guardianship
14 of the department to prepare those children for adoption and the cost of providing
15 postadoption services to children with special needs who have been adopted.
16 Disbursements for foster care under s. 46.03 (20) and for the purposes described
17 under s. 48.627 may be made from this appropriation.

18 **SECTION 400.** 20.435 (4) (title) of the statutes is created to read:

19 20.435 (4) (title) HEALTH SERVICES PLANNING, REGULATION AND DELIVERY; HEALTH
20 CARE FINANCING.

21 **SECTION 401.** 20.435 (4) (a) of the statutes is created to read:

22 20.435 (4) (a) *General program operations.* The amounts in the schedule for
23 general program operations, including health care financing regulation,
24 administration and field services.

1 **SECTION 402.** 20.435 (4) (bs) of the statutes, as affected by 1999 Wisconsin Act
2 (this act), is renumbered 20.435 (4) (kb) and amended to read:

3 20.435 **(4)** (kb) *Relief block grants to tribal governing bodies.* The amounts in
4 the schedule for relief block grants under s. 49.029 to tribal governing bodies. All
5 moneys transferred from the appropriation account under s. 20.505 (8) (hm) 18. shall
6 be credited to this appropriation account.

7 **SECTION 403.** 20.435 (4) (e) of the statutes is created to read:

8 20.435 **(4)** (e) *Disease aids.* Biennially, the amounts in the schedule for
9 assisting victims of diseases, as provided in ss. 49.68, 49.683 and 49.685.

10 **SECTION 404.** 20.435 (4) (g) of the statutes is created to read:

11 20.435 **(4)** (g) *Family care benefit; cost sharing.* All moneys received from client
12 cost-sharing requirements under s. 46.286 (2) to be expended for the provision of
13 services under the family care benefit under s. 46.284 (5).

14 **SECTION 405.** 20.435 (4) (gm) of the statutes is created to read:

15 20.435 **(4)** (gm) *Health services regulation and vital statistics.* The amounts in
16 the schedule for the purposes specified in chs. 69 and 150. All moneys received under
17 ch. 69 and s. 150.13 shall be credited to this appropriation account. From the fees
18 collected under s. 50.135 (2), \$247,000 in fiscal year 1999–2000 and \$297,200 in fiscal
19 year 2000–01 shall be credited to this appropriation account.

20 **SECTION 405h.** 20.435 (4) (gp) of the statutes, as affected by 1999 Wisconsin Act
21 (this act), is amended to read:

22 20.435 **(4)** (gp) *Health care and graduate medical education; aids.* All moneys
23 received under s. 146.99, ~~to be first used for a grant under 1999 Wisconsin Act (this~~
24 ~~act), section 9123 (12m), and, of the remaining amounts, 50% to be used in each fiscal~~
25 year for purchase of primary health care services under s. 146.93 and 50% to be used

1 in each fiscal year for graduate medical education payments for training of providers
2 under the medical assistance program under ss. 49.45 to 49.499.

3 **SECTION 406.** 20.435 (4) (h) of the statutes is created to read:

4 20.435 (4) (h) *General assistance medical program; intergovernmental transfer.*

5 The amounts in the schedule to provide supplemental payments to eligible health
6 care providers that contract with Milwaukee County to provide health care services
7 funded by a relief block grant under s. 49.025. All moneys received from Milwaukee
8 County for this purpose shall be credited to this appropriation account.

9 **SECTION 407.** 20.435 (4) (i) of the statutes is created to read:

10 20.435 (4) (i) *Gifts and grants; health care financing.* All moneys received from
11 gifts, grants, bequests and trust funds to provide health care financing consistent
12 with the purpose of the gift, grant, bequest or trust fund.

13 **SECTION 408.** 20.435 (4) (kx) of the statutes is created to read:

14 20.435 (4) (kx) *Interagency and intra-agency programs.* All moneys received
15 from other state agencies and all moneys received by the department from the
16 department for the administration of programs or projects, for the purposes for which
17 received.

18 **SECTION 409.** 20.435 (4) (ky) of the statutes is created to read:

19 20.435 (4) (ky) *Interagency and intra-agency aids.* All moneys received from
20 other state agencies, including moneys transferred from s. 20.505 (8) (hm) 7., and all
21 moneys received by the department from the department for aids to individuals and
22 organizations, for the purpose of providing those aids.

23 **SECTION 410.** 20.435 (4) (kz) of the statutes is created to read:

1 20.435 (4) (kz) *Interagency and intra-agency local assistance.* All moneys
2 received from other state agencies and all moneys received by the department from
3 the department for local assistance, for the purpose of providing that assistance.

4 **SECTION 411.** 20.435 (4) (m) of the statutes is created to read:

5 20.435 (4) (m) *Federal project operations.* All moneys received from the federal
6 government or any of its agencies for the state administration of specific limited term
7 projects, to be expended for the purposes specified.

8 **SECTION 412.** 20.435 (4) (ma) of the statutes is created to read:

9 20.435 (4) (ma) *Federal project aids.* All moneys received from the federal
10 government or any of its agencies for specific limited term projects of aids to
11 individuals or organizations, to be expended for the purposes specified.

12 **SECTION 413.** 20.435 (4) (md) of the statutes is created to read:

13 20.435 (4) (md) *Federal block grant aids.* All block grant moneys received from
14 the federal government or any of its agencies for aids to individuals or organizations,
15 other than for specific limited term projects and continuing programs, to be expended
16 for the purposes specified.

17 **SECTION 414.** 20.435 (4) (n) of the statutes is created to read:

18 20.435 (4) (n) *Federal program operations.* All moneys received from the
19 federal government or any of its agencies for the state administration of continuing
20 programs, to be expended for the purposes specified.

21 **SECTION 415.** 20.435 (4) (na) of the statutes is created to read:

22 20.435 (4) (na) *Federal program aids.* All moneys received from the federal
23 government or any of its agencies for continuing programs of aids to individuals or
24 organizations, to be expended for the purposes specified.

25 **SECTION 415g.** 20.435 (4) (v) of the statutes is created to read:

1 20.435 (4) (v) *Health insurance risk-sharing plan; program benefits.* All
2 moneys received by the health insurance risk-sharing plan fund, except for moneys
3 appropriated under par. (u), for the operating costs of the health insurance
4 risk-sharing plan under ch. 149, subject to s. 149.143 (2m).

5 **SECTION 416.** 20.435 (5) (title) of the statutes is amended to read:

6 20.435 (5) (title) ~~HEALTH~~ PUBLIC HEALTH SERVICES PLANNING, REGULATION AND
7 DELIVERY; AIDS AND LOCAL ASSISTANCE.

8 **SECTION 417c.** 20.435 (5) (af) of the statutes is renumbered 20.435 (4) (af) and
9 amended to read:

10 20.435 (4) (af) *Health insurance risk-sharing plan; transfer to fund for costs.*
11 The amounts in the schedule to be paid into the health insurance risk-sharing plan
12 fund for paying a portion of the operating costs of the health insurance risk-sharing
13 plan under ch. 149.

14 **SECTION 418c.** 20.435 (5) (ah) of the statutes is renumbered 20.435 (4) (ah) and
15 amended to read:

16 20.435 (4) (ah) *Health insurance risk-sharing plan; transfer to fund for*
17 *premium and deductible reduction subsidy.* Biennially, the amounts in the schedule
18 to be paid into the health insurance risk-sharing plan fund for the purpose of
19 subsidizing premium reductions under s. 149.165 and deductible reductions under
20 s. 149.14 (5) (a).

21 **SECTION 418g.** 20.435 (5) (am) of the statutes is amended to read:

22 20.435 (5) (am) *Services, reimbursement and payment related to acquired*
23 *immunodeficiency syndrome.* The amounts in the schedule for the purchase of
24 services under s. 252.12 (2) (a) for individuals with respect to acquired
25 immunodeficiency syndrome and related infections, to subsidize premium payments

1 under ss. 252.16 and 252.17, for HIV prevention grants under s. 252.12 (2) (c) 2. and
2 3. and to reimburse or supplement the reimbursement of the cost of AZT,
3 pentamidine and certain other drugs under s. 49.686.

4 **SECTION 419.** 20.435 (5) (b) of the statutes is renumbered 20.435 (4) (b) and
5 amended to read:

6 20.435 (4) (b) *Medical assistance program benefits.* Biennially, the amounts in
7 the schedule to provide the state share of medical assistance program benefits
8 administered under s. 49.45, to provide medical assistance program benefits
9 administered under s. 49.45 that are not also provided under par. (o) ~~and~~, to fund the
10 pilot project under s. 46.27 (9) and (10), to provide the facility payments under 1999
11 Wisconsin Act (this act), section 9123 (9m), to fund services provided by resource
12 centers under s. 46.283 and for services under the family care benefit under s. 46.284
13 (5). Notwithstanding s. 20.002 (1), the department may transfer from this
14 appropriation to the appropriation under sub. (7) (kb) funds in the amount of and for
15 the purposes specified in s. 46.485. Notwithstanding ss. 20.001 (3) (b) and 20.002 (1),
16 the department may credit or deposit into this appropriation and may transfer
17 between fiscal years funds that it transfers from the appropriation under sub. (7) (kb)
18 for the purposes specified in s. 46.485 (3r). Notwithstanding s. 20.002 (1), the
19 department may transfer from this appropriation to the appropriation account
20 under sub. (7) (bd) funds in the amount and for the purposes specified in s. 49.45 (6v).

21 **SECTION 420.** 20.435 (5) (bc) of the statutes is renumbered 20.435 (4) (bc).

22 **SECTION 421.** 20.435 (5) (bs) of the statutes is renumbered 20.435 (4) (bs).

23 **SECTION 422.** 20.435 (5) (bt) of the statutes is renumbered 20.435 (4) (bt) and
24 amended to read:

1 20.435 (4) (bt) *Relief block grants to counties with a population of 500,000 or*
2 *more.* The amounts in the schedule for relief block grants to counties under s. ss.
3 49.025 to counties with a population of 500,000 or more and 49.027.

4 **SECTION 423.** 20.435 (5) (bu) of the statutes is repealed.

5 **SECTION 425.** 20.435 (5) (cm) of the statutes is amended to read:

6 20.435 (5) (cm) *Immunization.* A sum sufficient not to exceed in fiscal year
7 ~~1997–98~~ 1999–2000 the difference between ~~\$8,550,700~~ \$9,000,000 and the sum of
8 the moneys received from the federal government under the federal vaccines for
9 children program and under section 317 of the Public Health Service Act in fiscal
10 year ~~1997–98~~ 1999–2000 and not to exceed in fiscal year ~~1998–99~~ 2000–01 the
11 difference between ~~\$8,776,400~~ \$9,000,000 and the sum of the moneys received from
12 the federal government under the federal vaccines for children program and under
13 section 317 of the Public Health Service Act in fiscal year ~~1998–99~~ 2000–01 for the
14 provision of vaccine to immunize children under s. 252.04 (1).

15 **SECTION 426.** 20.435 (5) (d) of the statutes is renumbered 20.435 (4) (d).

16 **SECTION 427.** 20.435 (5) (e) of the statutes is amended to read:

17 20.435 (5) (e) *Disease aids* Public health dispensaries and drugs. Biennially,
18 the amounts in the schedule for ~~assisting~~ establishing and maintaining public health
19 dispensaries for victims of diseases and for the provision of drugs for the treatment
20 of mycobacterium tuberculosis, as provided in ~~ss. 49.68, 49.683, 49.685, 58.06, 252.08~~
21 ~~(4) and (5) and s. 252.10 (6) and (7),~~ as allocated by the department.

22 **SECTION 428.** 20.435 (5) (ed) of the statutes is amended to read:

23 20.435 (5) (ed) *Radon aids.* The amounts in the schedule for the provision of
24 state aid for local radon services under s. 254.34 (4) (1) (h) 5.

1 **SECTION 430.** 20.435 (5) (ek) of the statutes is renumbered 20.435 (5) (ke) and
2 amended to read:

3 20.435 (5) (ke) *Cooperative American Indian health projects.* The amounts in
4 the schedule for grants for cooperative American Indian health projects under s.
5 146.19. All moneys transferred from the appropriation account under s. 20.505 (8)
6 (hm) 18b. shall be credited to this appropriation account.

7 **SECTION 432g.** 20.435 (5) (fh) of the statutes is created to read:

8 20.435 (5) (fh) *Community health services.* The amounts in the schedule for the
9 minority health program under s. 146.185 and for grants under s. 250.15.

10 **SECTION 433d.** 20.435 (5) (gh) of the statutes is repealed.

11 **SECTION 434.** 20.435 (5) (im) of the statutes is renumbered 20.435 (4) (im).

12 **SECTION 434r.** 20.435 (5) (jk) of the statutes is created to read:

13 20.435 (5) (jk) *Newborn hearing screening programs.* From all moneys received
14 under s. 69.22 (1) (c), the first \$2 of each fee paid, to be used for newborn hearing
15 screening program grants under s. 253.115 (4) (a).

16 **SECTION 434s.** 20.435 (5) (jk) of the statutes, as created by 1999 Wisconsin Act
17 (this act), is amended to read:

18 20.435 (5) (jk) *Newborn hearing screening programs.* From all moneys received
19 under s. 69.22 (1) (c), the first \$2 of each fee paid, to be used for newborn hearing
20 screening program grants under s. 253.115 (4) ~~(a)~~ (b).

21 **SECTION 434t.** 20.435 (5) (jk) of the statutes, as affected by 1999 Wisconsin Act
22 (this act), is repealed.

23 **SECTION 435.** 20.435 (5) (jz) of the statutes is renumbered 20.435 (4) (jz).

24 **SECTION 436.** 20.435 (5) (ky) of the statutes is amended to read:

1 20.435 (5) (ky) *Interagency and intra-agency aids*. All moneys received from
2 other state agencies and all moneys received by the department from the department
3 not directed to be deposited under sub. ~~(1) (km)~~ or (6) (k) for aids to individuals and
4 organizations.

5 **SECTION 437.** 20.435 (5) (kz) of the statutes is amended to read:

6 20.435 (5) (kz) *Interagency and intra-agency local assistance*. All moneys
7 received from other state agencies and all moneys received by the department from
8 the department not directed to be deposited under ~~par. sub. (1) (km)~~ or (6) (k) for local
9 assistance.

10 **SECTION 438.** 20.435 (5) (o) of the statutes is renumbered s. 20.435 (4) (o) and
11 amended to read:

12 20.435 (4) (o) *Federal aid; medical assistance*. All federal moneys received for
13 meeting costs of medical assistance administered under ss. 46.284 (5), 49.45 and
14 49.665, to be used for those purposes.

15 **SECTION 439.** 20.435 (5) (p) of the statutes is renumbered 20.435 (4) (p).

16 **SECTION 440.** 20.435 (6) (a) of the statutes is amended to read:

17 20.435 (6) (a) *General program operations; projects; council on physical*
18 *disabilities*. The amounts in the schedule for general program operations, including
19 field services and administrative services, ~~and for the pilot project under 1997~~
20 ~~Wisconsin Act 237, section 9122 (4)~~ for the demonstration projects under 1999
21 Wisconsin Act (this act), section 9123 (3) (a) and for operation of the council on
22 physical disabilities under s. 46.29.

23 **SECTION 441.** 20.435 (6) (d) of the statutes is repealed.

24 **SECTION 442.** 20.435 (6) (g) of the statutes is amended to read:

1 20.435 (6) (g) *Nursing facility resident protection*. ~~The amounts in the schedule~~
2 ~~to finance nursing facility resident protection under s. 49.499. All moneys received~~
3 ~~from the penalty assessment surcharges on forfeitures that are levied by the~~
4 ~~department under s. 49.498 (16) (c) 1., 2. and 3. and the interest under s. 49.498 (16)~~
5 ~~(d) shall be credited to this appropriation to finance nursing facility resident~~
6 ~~protection under s. 49.499.~~

7 **SECTION 443.** 20.435 (6) (gb) of the statutes is amended to read:

8 20.435 (6) (gb) *Alcohol and drug abuse initiatives*. All moneys received from
9 the state treasurer under s. 961.41 (5) (c), to be expended on programs providing
10 prevention, intervention and treatment for alcohol and other drug abuse problems.
11 ~~In fiscal year 1997-98, the department shall transfer \$250,000 from the~~
12 ~~appropriation account under this paragraph to the appropriation account under sub.~~
13 ~~(7) (kw).~~

14 **SECTION 444.** 20.435 (6) (hx) of the statutes is amended to read:

15 20.435 (6) (hx) *Services related to drivers, receipts*. The amounts in the
16 schedule for services related to drivers. All moneys received by the state treasurer
17 from the driver improvement surcharge on court fines and forfeitures authorized
18 under s. 346.655 and all moneys transferred from the appropriation account under
19 s. 20.395 (5) (di) shall be credited to this appropriation. ~~The secretary of~~
20 ~~administration shall annually transfer to the appropriation account under s. 20.395~~
21 ~~(5) (di) 31.29% of all moneys credited to this appropriation. The Any unencumbered~~
22 ~~moneys remaining in this appropriation account~~ may be transferred to sub. (7) (hy)
23 and ss. 20.255 (1) (hm), 20.285 (1) (ia), 20.395 (5) (ci) and (di) and 20.455 (5) (h) by
24 the secretary of administration after consultation with the secretaries of health and

1 family services and transportation, the superintendent of public instruction, the
2 attorney general and the president of the university of Wisconsin system.

3 **SECTION 445.** 20.435 (6) (jm) of the statutes is amended to read:

4 20.435 (6) (jm) *Licensing and support services.* The amounts in the schedule
5 for the purposes specified in ss. 48.685 (2) (am) and (b) 1., (3) (a) and (b) and (5) (a),
6 49.45 (47), 50.02 (2), 50.025, 50.065 (2) (am) and (b) 1., (3) (a) and (b) and (5), 50.13,
7 50.135, 50.36 (2), 50.49 (2) (b), 50.495, 50.52 (2) (a), 50.57 and 50.981 and subch. IV
8 of ch. 50 and to conduct health facilities plan and rule development activities, for
9 accrediting nursing homes, convalescent homes and homes for the aged, to conduct
10 capital construction and remodeling plan reviews under ss. 50.02 (2) (b) and 50.36
11 (2) and for the costs of inspecting, licensing and approving facilities, issuing permits
12 and providing technical assistance that are not specified under any other paragraph
13 in this subsection. All moneys received under ss. 48.685 (8), 50.02 (2), 50.025, 50.065
14 (8), 50.13, 50.36 (2), 50.49 (2) (b), 50.495, 50.52 (2) (a), 50.57, 50.93 (1) (c) and 50.981,
15 all moneys received from fees for the costs of inspecting, licensing and approving
16 facilities, issuing permits and providing technical assistance that are not specified
17 under any other paragraph in this subsection, and all moneys received under 50.135
18 (2), less the amounts credited to the appropriation account under sub. (1) (4) (gm),
19 shall be credited to this appropriation account.

20 **SECTION 445g.** 20.435 (6) (kd) of the statutes is created to read:

21 20.435 (6) (kd) *Rehabilitation teaching administration.* All moneys
22 transferred from the appropriation under s. 20.155 (1) (q) to provide administrative
23 services under the rehabilitation teaching program for blind and visually impaired
24 persons under s. 46.293, for that purpose.

25 **SECTION 446.** 20.435 (7) (b) of the statutes is amended to read:

1 20.435 (7) (b) *Community aids.* The amounts in the schedule for human
2 services under s. 46.40, to fund services provided by resource centers under s. 46.283
3 (5), for services under the family care benefit under s. 46.284 (5), for reimbursement
4 to counties having a population of less than 500,000 for the cost of court attached
5 intake services under s. 48.06 (4), for shelter care under ss. 48.58 and 938.22 and for
6 foster care and treatment foster care under s. 49.19 (10). Social services
7 disbursements under s. 46.03 (20) (b) may be made from this appropriation. Refunds
8 received relating to payments made under s. 46.03 (20) (b) for the provision of
9 services for which moneys are appropriated under this paragraph shall be returned
10 to this appropriation. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the
11 department of health and family services may transfer funds between fiscal years
12 under this paragraph. The department shall deposit into this appropriation funds
13 it recovers under ss. 46.495 (2) (b) and 51.423 (15) from prior year audit adjustments
14 including those resulting from audits of services under s. 46.26, 1993 stats., or s.
15 46.27. Except for amounts authorized to be carried forward under s. 46.45, all funds
16 recovered under ss. 46.495 (2) (b) and 51.423 (15) and all funds allocated under s.
17 46.40 and not spent or encumbered by December 31 of each year shall lapse to the
18 general fund on the succeeding January 1 unless carried forward to the next calendar
19 year by the joint committee on finance.

20 **SECTION 446m.** 20.435 (7) (bc) of the statutes is amended to read:

21 20.435 (7) (bc) *Grants for community programs.* The amounts in the schedule
22 for grants for community programs under s. 46.48. Notwithstanding ss. 20.001 (3)
23 (a) and 20.002 (1), the department may transfer funds between fiscal years under
24 this paragraph. Notwithstanding ss. 20.001 (3) (b) and 20.002 (1), the department
25 of health and family services may credit or deposit into this appropriation funds for

1 the purpose specified in s. 46.48 (13) that the department transfers from the
2 appropriation under par. (bL) that are allocated by the department under that
3 appropriation but unexpended or unencumbered on June 30 of each year. Except for
4 amounts authorized to be carried forward under s. 46.48 and as otherwise provided
5 in this paragraph, all funds allocated but not encumbered by December 31 of each
6 year lapse to the general fund on the next January 1 unless carried forward to the
7 next calendar year by the joint committee on finance. Notwithstanding ss. 20.001
8 (3) (b) and 20.002 (1), there is transferred at the end of the 1999–2000 fiscal year to
9 the appropriation account for the department of workforce development under s.
10 20.445 (3) (dz) the difference between \$5,000,000 and the amounts that are
11 expendable and encumbered under 1999 Wisconsin Act ... (this act), section 9223
12 (3c).

13 **SECTION 447.** 20.435 (7) (bd) of the statutes is amended to read:

14 20.435 (7) (bd) *Community options program and long-term support; pilot*
15 *projects; family care benefit.* The amounts in the schedule for assessments, case
16 planning, services and, administration and risk reserve escrow accounts under s.
17 46.27 and, for pilot projects under s. 46.271 (1), ~~and the amounts carried forward~~
18 ~~under 1997 Wisconsin Act 27, section 9123 (2), for the pilot project under s. 46.271~~
19 ~~(2m), to fund services provided by resource centers under s. 46.283 (5), for services~~
20 under the family care benefit under s. 46.284 (5) and for the payment of premiums
21 under s. 49.472 (5). If the department transfers funds to this appropriation from the
22 appropriation account under sub. ~~(5)~~ (4) (b), the amounts in the schedule for the fiscal
23 year for which the transfer is made are increased by the amount of the transfer for
24 the purposes specified in s. 49.45 (6v). Notwithstanding ss. 20.001 (3) (a) and 20.002
25 (1), the department may under this paragraph transfer moneys between fiscal years.

1 Except for moneys authorized for transfer under this appropriation, or under s. 46.27
2 (7) (fm) or (g) ~~or under 1997 Wisconsin Act 27, section 9123 (2)~~, all moneys under this
3 appropriation that are allocated under s. 46.27 and are not spent or encumbered by
4 counties or by the department by December 31 of each year shall lapse to the general
5 fund on the succeeding January 1 unless transferred to the next calendar year by the
6 joint committee on finance.

7 **SECTION 447d.** 20.435 (7) (br) of the statutes is created to read:

8 20.435 (7) (br) *Respite care.* The amounts in the schedule for the respite care
9 program under s. 46.986.

10 **SECTION 448.** 20.435 (7) (cp) of the statutes is repealed.

11 **SECTION 449.** 20.435 (7) (dh) of the statutes is amended to read:

12 20.435 (7) (dh) *Programs for senior citizens and ; elder abuse services; benefit*
13 *specialist program.* The amounts in the schedule for the programs for senior citizens,
14 including but not limited to the purpose of distributing funds under s. 46.80 (2m) (b)
15 to supplement any federal foster grandparent project funds received under 42 USC
16 5011 (a) and the purposes of ss. 46.80 (5) and 46.85, ~~and;~~ for direct services for elder
17 persons and other individuals under s. 46.90 (5m); and for the benefit specialist
18 program for older persons under s. 46.81. Notwithstanding ss. 20.001 (3) (a) and
19 20.002 (1), the department of health and family services may transfer funds between
20 fiscal years under this paragraph. All funds allocated under ss. 46.80 (2m) (b) and
21 (5), 46.81 (2) and 46.85 but not encumbered by December 31 of each year lapse to the
22 general fund on the next January 1, unless transferred to the next calendar year by
23 the joint committee on finance, but the department may carry forward funds
24 allocated under s. 46.90 (5m) that are not encumbered by June 30 of each year for
25 allocation under s. 46.90 (5m) in the following state fiscal year. For the purposes of

1 this paragraph, funds are encumbered by December 31 if allocated for services
2 received or for goods ordered by December 31.

3 **SECTION 450.** 20.435 (7) (dj) of the statutes is repealed.

4 **SECTION 451.** 20.435 (7) (dL) of the statutes is renumbered 20.435 (7) (kL) and
5 amended to read:

6 20.435 (7) (kL) *Indian aids.* The amounts in the schedule to facilitate delivery
7 of social services and mental hygiene services to American Indians under s. 46.70.
8 Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department may transfer funds
9 between state fiscal years under this paragraph. All funds allocated under s. 46.70
10 but not spent or encumbered by September 30 of each year lapse to the general fund
11 on the next October 1, unless transferred to the next federal fiscal year by the joint
12 committee on finance. For the purposes of this paragraph, funds are encumbered by
13 September 30 if allocated for services received or for goods ordered by September 30
14 All moneys transferred from the appropriation account under s. 20.505 (8) (hm) 18c.
15 shall be credited to this appropriation account.

16 **SECTION 452.** 20.435 (7) (dm) of the statutes is renumbered 20.435 (7) (km) and
17 amended to read:

18 20.435 (7) (km) *Indian drug abuse prevention and education.* The amounts in
19 the schedule for the American Indian drug abuse prevention and education program
20 under s. 46.71. All moneys transferred from the appropriation account under s.
21 20.505 (8) (hm) 18d. shall be credited to this appropriation account.

22 **SECTION 453.** 20.435 (7) (im) of the statutes is amended to read:

23 20.435 (7) (im) *Community options program; family care benefit; recovery of*
24 *costs of care.* From the moneys received from the recovery of costs of care under ss.
25 46.27 (7g) and 867.035 and rules promulgated under s. 46.286 (7), all moneys not

1 appropriated under sub. (1) ~~(4)~~ (in), for payments to county departments and aging
2 units under s. 46.27 (7g) (d), payments to care management organizations for
3 provision of the family care benefit under s. 46.284 (5), payment of claims under s.
4 867.035 (3) and payments for long-term community support services funded under
5 s. 46.27 (7) as provided in ss. 46.27 (7g) (e) and 867.035 (4m).

6 **SECTION 454.** 20.435 (7) (kb) of the statutes is amended to read:

7 20.435 (7) (kb) *Severely emotionally disturbed children.* As a continuing
8 appropriation, all moneys transferred from the appropriation under sub. (5) ~~(4)~~ (b)
9 to this appropriation to provide, under s. 46.485, mental health care and treatment
10 and community-based mental health services for severely emotionally disturbed
11 children. Notwithstanding s. 20.002 (1), the department of health and family
12 services may transfer from this appropriation to the appropriation under sub. (5) ~~(4)~~
13 (b) funds as specified in s. 46.485 (3r).

14 **SECTION 455.** 20.435 (7) (kg) of the statutes is amended to read:

15 20.435 (7) (kg) *Compulsive gambling awareness campaigns.* The amounts in
16 the schedule for the purpose of awarding grants under s. 46.03 (43). All moneys
17 transferred from ~~ss. s. 20.505 (8) (g) and (h) and 20.566 (8) (q) (hm) 1.~~ shall be credited
18 to this appropriation account.

19 **SECTION 456.** 20.435 (8) (g) of the statutes is repealed.

20 **SECTION 456m.** 20.435 (8) (ka) of the statutes is repealed.

21 **SECTION 456r.** 20.435 (8) (mb) of the statutes is amended to read:

22 20.435 (8) (mb) *Income augmentation services receipts.* All moneys that are
23 received under 42 USC 670 to 679a, 42 USC 1395 to 1395ddd and 42 USC 1396 to
24 1396v as the result of income augmentation activities ~~for which the state has~~

1 contracted performed by the department under s. 46.46, to be used as provided in s.
2 46.46.

3 **SECTION 457.** 20.435 (8) (mm) of the statutes is created to read:

4 20.435 **(8)** (mm) *Reimbursements from federal government.* All moneys
5 received from the federal government, other than moneys described under ss. 46.40
6 (1) (bm), 46.45 (2), 46.46, 49.45 (6u) and 49.49, that are intended to reimburse the
7 state for expenditures in previous fiscal years from general purpose revenue
8 appropriations whose purpose includes a requirement to match or secure federal
9 funds and that exceeded in those fiscal years the estimates reflected in the intentions
10 of the legislature and governor, as expressed by them in the budget determinations,
11 and the joint committee on finance, as expressed by the committee in any
12 determinations, and the estimates approved for expenditure by the secretary of
13 administration under s. 16.50 (2), for the purpose of paying federal disallowances,
14 federal sanctions or penalties and the costs of any corrective action affecting the
15 department of health and family services. Notwithstanding s. 20.001 (3) (c), at the
16 end of each fiscal year, the amount determined by the department of administration
17 under s. 16.54 (12) (d) shall lapse to the general fund.

18 **SECTION 457m.** 20.436 of the statutes is created to read:

19 **20.436 Tobacco control board.** There is appropriated from the tobacco
20 control fund to the tobacco control board for the following programs:

21 **(1) SMOKING CESSATION AND EDUCATION.** (g) *Gifts and grants.* All moneys
22 received from gifts, grants and donations for the purposes specified under s. 255.15
23 to be used for those purposes.

24 (tb) *General program operations.* Biennially, the amounts in the schedule for
25 general program operations of the tobacco control board.

1 (tc) *Grants*. As a continuing appropriation, the amounts in the schedule for the
2 purposes specified under s. 255.15 (3).

3 **SECTION 458.** 20.445 (1) (em) of the statutes is renumbered 20.445 (7) (em).

4 **SECTION 459.** 20.445 (1) (ev) of the statutes is renumbered 20.445 (7) (a) and
5 amended to read:

6 20.445 (7) (a) ~~*Division of connecting education and work*~~ *General program*
7 *operations*. The amounts in the schedule for the general program operations of the
8 ~~division of connecting education and work~~ governor's work-based learning board
9 under s. 106.12.

10 **SECTION 461.** 20.445 (1) (kb) of the statutes is renumbered 20.445 (7) (kb).

11 **SECTION 461m.** 20.445 (1) (kd) of the statutes is repealed.

12 **SECTION 462.** 20.445 (3) (a) of the statutes, as affected by 1997 Wisconsin Act
13 27, is amended to read:

14 20.445 (3) (a) *General program operations*. The amounts in the schedule for
15 general program operations relating to economic support, including field services
16 ~~and~~, administrative services and services related to identifying
17 maintenance-of-effort funds, for costs associated with receiving and disbursing
18 support and support-related payments, including any contract costs, and for
19 administering the program under s. 49.22 and all other purposes specified in s. 49.22.
20 No moneys may be expended under this paragraph for the program under, or any
21 other purpose specified in, s. 49.22 unless moneys appropriated under par. (ja) are
22 insufficient for the purposes specified under that paragraph.

23 **SECTION 463.** 20.445 (3) (br) of the statutes is amended to read:

24 20.445 (3) (br) *Public assistance reform studies*. As a continuing appropriation,
25 the amounts in the schedule for the studies of public assistance reform under s. 49.32

1 ~~(6), for a study of the school attendance requirement under the learnfare pilot~~
2 ~~program for children who are 6 to 12 years of age and for the evaluation of the~~
3 ~~parental responsibility pilot program under s. 49.25 (9).~~

4 **SECTION 464.** 20.445 (3) (cb) of the statutes is repealed.

5 **SECTION 465.** 20.445 (3) (cm) of the statutes is amended to read:

6 20.445 **(3)** (cm) *Wisconsin works child care.* The amounts in the schedule for
7 paying child care subsidies under s. 49.155. ~~Before October 1, 1997, moneys~~
8 ~~appropriated under this paragraph may be used to fund child care costs of~~
9 ~~individuals who secure unsubsidized employment and lose eligibility for aid to~~
10 ~~families with dependent children as provided under s. 49.191 (2), for child care and~~
11 ~~related transportation costs under s. 49.26 (1) (e), for at-risk and low-income child~~
12 ~~care under s. 49.132, 1995 stats., and for child care costs under ss. 49.191 (1) and~~
13 ~~49.193 (8).~~

14 **SECTION 466.** 20.445 (3) (dz) of the statutes, as affected by 1997 Wisconsin Act
15 27, section 627b, is amended to read:

16 20.445 **(3)** (dz) *Wisconsin works and other public assistance administration and*
17 *benefits.* The amounts in the schedule, less the amounts withheld under s. 49.143
18 (3), for administration and benefit payments under Wisconsin works under ss.
19 49.141 to 49.161, ~~the job opportunities and basic skills program under s. 49.193, the~~
20 ~~learnfare program under s. 49.26, the work experience and job search program under~~
21 ~~s. 49.36, and the food stamp program under s. 49.124 and the parental responsibility~~
22 ~~pilot program under s. 49.25; for payment distribution under s. 49.33 (8) for county~~
23 ~~administration of public assistance benefits and medical assistance eligibility~~
24 ~~determination; and for payments to American Indian tribes for administration of~~
25 ~~public assistance programs; to provide state aid for county administered public~~

1 assistance programs for which reimbursement is provided under s. 49.33 (9); ~~for child~~
2 ~~care costs under ss. 49.191 (1) and (2), 49.193 (8) and 49.26 (1) (e); for the new hope~~
3 ~~project under s. 49.37; for aid to 18-year-old students under s. 49.20; and~~ for funeral
4 expenses under s. 49.30; and to transfer to the appropriation account under s. 20.835
5 ~~(2) (k) the amount determined by the department of revenue under s. 49.175 (1) (b)~~
6 2. Payments may be made from this appropriation to counties for fraud investigation
7 and error reduction under s. 49.197 (1m) and (4). Moneys appropriated under this
8 paragraph may be used to match federal funds received under par. (md).
9 Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department may transfer funds
10 between fiscal years under this paragraph. All funds allocated by the department
11 but not encumbered by December 31 of each year lapse to the general fund on the
12 next January 1 unless transferred to the next calendar year by the joint committee
13 on finance.

14 **SECTION 468.** 20.445 (3) (ja) of the statutes, as affected by 1997 Wisconsin Act
15 27, is amended to read:

16 20.445 (3) (ja) *Child support state operations — fees.* All moneys received from
17 fees charged under s. 49.22 (8), from fees ordered under s. 767.29 (1) (d), from fees
18 collected under s. 767.29 (1) (dm) 1m. and from fees charged and incentive payments
19 and collections retained under s. 49.22 (7m), for costs associated with receiving and
20 disbursing support and support-related payments, including any contract costs, and
21 for administering the program under s. 49.22 and all other purposes specified in s.
22 49.22.

23 **SECTION 469.** 20.445 (3) (jg) of the statutes is repealed.

24 **SECTION 470.** 20.445 (3) (jm) of the statutes is repealed.

1 **SECTION 471.** 20.445 (3) (k) of the statutes, as affected by 1997 Wisconsin Act
2 191, section 8, is amended to read:

3 20.445 **(3)** (k) *Child support transfers.* All moneys transferred from the
4 appropriation account under par. (r), to be expended under the Wisconsin works
5 program under subch. III of ch. 49 and to be distributed as child support incentive
6 payments as provided in s. 49.24 and for the support of dependent children in
7 accordance with applicable federal and state statutes, federal regulations and state
8 rules.

9 **SECTION 472.** 20.445 (3) (L) of the statutes is amended to read:

10 20.445 **(3)** (L) *Welfare fraud and error reduction; state operations.* From the
11 moneys received as the state's share of the recovery of overpayments and incorrect
12 payments under s. 49.191 (3) (c), 1997 stats., s. 49.195, 1997 stats., and ss. 49.125 (2),
13 ~~49.191 (3) (c), 49.195 and 49.497 (1)~~, the amounts in the schedule for the
14 department's activities to reduce error and fraud in the food stamp, aid to families
15 with dependent children, Wisconsin works program and medical assistance
16 programs.

17 **SECTION 473.** 20.445 (3) (Lm) of the statutes is amended to read:

18 20.445 **(3)** (Lm) *Welfare fraud and error reduction; local assistance.* From the
19 moneys received as the state's share of the recovery of overpayments and incorrect
20 payments under s. 49.191 (3) (c), 1997 stats., s. 49.195, 1997 stats., and ss. 49.125 (2),
21 ~~49.191 (3) (c), 49.195 and 49.497 (1)~~, all moneys not appropriated under par. (L) for
22 county and tribal activities to reduce error and fraud in the food stamp, aid to
23 families with dependent children, Wisconsin works program and medical assistance
24 program.

25 **SECTION 474.** 20.445 (3) (mc) of the statutes is amended to read:

1 20.445 (3) (mc) *Federal block grant operations.* The amounts in the schedule,
2 less the amounts withheld under s. 49.143 (3), for the purposes of operating and
3 administering the block grant programs for which the block grant moneys are
4 received and transferring moneys to the appropriation accounts under ss. 20.435 (3)
5 (kx), (6) (kx) and (8) (kx) and 20.525 (1) (kb) and (kf). All block grant moneys received
6 for these purposes from the federal government or any of its agencies for the state
7 administration of federal block grants for the purposes specified shall be credited to
8 this appropriation account.

9 **SECTION 474ac.** 20.445 (3) (mc) of the statutes, as affected by 1999 Wisconsin
10 Act (this act), is amended to read:

11 20.445 (3) (mc) *Federal block grant operations.* The amounts in the schedule,
12 less the amounts withheld under s. 49.143 (3), for the purposes of operating and
13 administering the block grant programs for which the block grant moneys are
14 received and transferring moneys to the appropriation accounts under ss. 20.435 (3)
15 (kx), (6) (kx) and (8) (kx) and 20.525 (1) (kb) and (kf). All block grant moneys received
16 for these purposes from the federal government or any of its agencies for the state
17 administration of federal block grants shall be credited to this appropriation
18 account.

19 **SECTION 475.** 20.445 (3) (md) of the statutes is amended to read:

20 20.445 (3) (md) *Federal block grant aids.* The amounts in the schedule, less
21 the amounts withheld under s. 49.143 (3), for aids to individuals or organizations and
22 to be transferred to the appropriation accounts under sub. (7) (kc) and ss. 20.255 (2)
23 (kh) and (kp), 20.433 (1) (k), 20.434 (1) (kp) and (ky), 20.435 (3) (kc), (kd), (km) and
24 (ky), (5) (ky), (7) (kw) and (ky) and (8) (kx), 20.465 (4) (k) and 20.835 (2) (kf). All block
25 grant moneys received for these purposes from the federal government or any of its

1 agencies to be expended as aids to individuals or organizations and to be transferred
2 to the appropriation accounts under s. 20.435 (3) (kc) and (kd), (7) (kw) and (ky) and
3 ~~(8) (kx)~~ and all moneys recovered under s. 49.143 (3) shall be credited to this
4 appropriation account.

5 **SECTION 476.** 20.445 (3) (mm) of the statutes is created to read:

6 20.445 (3) (mm) *Reimbursements from federal government.* All moneys
7 received from the federal government that are intended to reimburse the state for
8 expenditures in previous fiscal years from general purpose revenue appropriations
9 whose purpose includes a requirement to match or secure federal funds and that
10 exceeded in those fiscal years the estimates reflected in the intentions of the
11 legislature and governor, as expressed by them in the budget determinations, and
12 the joint committee on finance, as expressed by the committee in any determinations,
13 and the estimates approved for expenditure by the secretary of administration under
14 s. 16.50 (2), for the purpose of paying federal disallowances, federal sanctions or
15 penalties and the costs of any corrective action affecting the department of workforce
16 development. Notwithstanding s. 20.001 (3) (c), at the end of each fiscal year, the
17 amount determined by the department of administration under s. 16.54 (12) (d) shall
18 lapse to the general fund.

19 **SECTION 477.** 20.445 (5) (kg) of the statutes is created to read:

20 20.445 (5) (kg) *Vocational rehabilitation services for tribes.* The amounts in the
21 schedule for vocational rehabilitation services under ch. 47 for Native American
22 individuals and federally recognized American Indian tribes or bands. All moneys
23 transferred from the appropriation account under s. 20.505 (8) (hm) 18e. shall be
24 credited to this appropriation account.

25 **SECTION 477m.** 20.445 (6) (ka) of the statutes is repealed.

1 **SECTION 478.** 20.445 (7) of the statutes is created to read:

2 20.445 (7) GOVERNOR'S WORK-BASED LEARNING BOARD.

3 (b) *Local youth apprenticeship grants.* The amounts in the schedule for local
4 youth apprenticeship grants under s. 106.13 (3m).

5 (kc) *Transfer of public assistance funds; work-based learning programs.* All
6 moneys transferred from the appropriation account under sub. (3) (md) for
7 work-based learning programs for youths who are eligible to receive temporary
8 assistance for needy families under 42 USC 601 to 619.

9 (kd) *Transfer of Indian gaming receipts; tribal work-based learning programs.*
10 The amounts in the schedule for work-based learning programs for students of a
11 tribal college that is recognized as a land grant college under 7 USC 301, as amended
12 to October 20, 1994. All moneys transferred from the appropriation account under
13 s. 20.505 (8) (hm) 18j. shall be credited to this appropriation account.

14 (kx) *Interagency and intra-agency programs.* All moneys received from other
15 state agencies and all moneys received by the department from the department for
16 the administration of programs or projects for which received.

17 **SECTION 480m.** 20.455 (1) (kt) of the statutes is amended to read:

18 20.455 (1) (kt) *Telecommunications positions.* All moneys received from the
19 public service commission under s. 196.85 (2m) for services provided by the
20 department of justice relating to telecommunications matters. No moneys may be
21 encumbered from this appropriation after June 30, 1999 2001.

22 **SECTION 481.** 20.455 (2) (d) of the statutes is repealed.

23 **SECTION 481d.** 20.455 (2) (fm) of the statutes is created to read:

24 20.455 (2) (fm) *Gaming law enforcement.* The amounts in the schedule for the
25 performance of the department's gaming law enforcement responsibilities as

1 specified in s. 165.70 (3m). No moneys may be encumbered or expended from this
2 appropriation account after the day of publication of the 2001–03 biennial budget
3 act.

4 **SECTION 481m.** 20.455 (2) (g) of the statutes is amended to read:

5 20.455 (2) (g) *Gaming law enforcement; racing revenues.* From all moneys
6 received under ss. 562.02 (2) (f), 562.04 (1) (b) 4. and (2) (d), 562.05 (2), 562.065 (3)
7 (d) ~~and (4)~~ and 562.09 (2) (e), the amounts in the schedule for the performance of the
8 department’s gaming law enforcement responsibilities as specified in s. 165.70 (3m).

9 **SECTION 482.** 20.455 (2) (hm) of the statutes is repealed.

10 **SECTION 483.** 20.455 (2) (hn) of the statutes is renumbered 20.455 (2) (kt) and
11 amended to read:

12 20.455 (2) (kt) *County-tribal programs, local assistance.* The amounts in the
13 schedule for distribution to county-tribal law enforcement programs under s.
14 165.90. All moneys transferred from ~~par. (hm)~~ the appropriation account under s.
15 20.505 (8) (hm) 15g. shall be credited to this appropriation account.

16 **SECTION 484.** 20.455 (2) (ho) of the statutes is renumbered 20.455 (2) (ku) and
17 amended to read:

18 20.455 (2) (ku) *County-tribal programs, state operations.* The amounts in the
19 schedule to finance ~~state operations~~ the activities of the department of justice
20 associated with county-tribal law enforcement programs under s. 165.90. All
21 moneys transferred from ~~par. (hm)~~ the appropriation account under s. 20.505 (8)
22 (hm) 15h. shall be credited to this appropriation account.

23 **SECTION 485m.** 20.455 (2) (i) of the statutes is amended to read:

24 20.455 (2) (i) *Penalty assessment surcharge, receipts.* The amounts in the
25 schedule for the purposes of s. 165.85 (5) (b) ~~and (5m)~~ and for crime laboratory

1 equipment. All moneys received from the penalty assessment surcharge on court
2 fines and forfeitures as allocated to this appropriation account under s. 165.87 (1)
3 ~~and all moneys transferred from s. 20.505 (6) (h) 757.05 (2) (a)~~ shall be credited to
4 this appropriation account. Moneys may be transferred from this paragraph to pars.
5 (j) ~~and~~, (ja) and (jb) by the secretary of administration for expenditures based upon
6 determinations by the department of justice.

7 **SECTION 486m.** 20.455 (2) (j) of the statutes is amended to read:

8 20.455 (2) (j) *Law enforcement training fund, local assistance.* The amounts
9 in the schedule to finance local law enforcement training as provided in s. 165.85 (5)
10 (b) ~~and (5m)~~. All moneys transferred from par. (i) shall be credited to this
11 appropriation.

12 **SECTION 488m.** 20.455 (2) (jb) of the statutes is amended to read:

13 20.455 (2) (jb) *Crime laboratory equipment and supplies.* ~~Biennially, the~~ The
14 amounts in the schedule for the maintenance, repair, upgrading and replacement
15 costs of the laboratory equipment, and for supplies used to maintain, repair, upgrade
16 and replace that equipment, in the state and regional crime laboratories. All moneys
17 transferred from par. (i) shall be credited to this appropriation.

18 **SECTION 489.** 20.455 (2) (ke) of the statutes is created to read:

19 20.455 (2) (ke) *Drug enforcement intelligence operations.* The amounts in the
20 schedule for drug enforcement tactical and strategic intelligence units. All moneys
21 transferred from the appropriation account under s. 20.505 (6) (j) 9. shall be credited
22 to this appropriation account.

23 **SECTION 490.** 20.455 (2) (km) of the statutes is created to read:

24 20.455 (2) (km) *Lottery background investigations.* The amounts in the
25 schedule for the purpose of providing lottery-related background investigations. All

1 moneys received from the department of revenue or any state agency as payments
2 for services provided and costs incurred by the department of justice for lottery
3 background investigations under s. 565.25 (4) shall be credited to this appropriation
4 account.

5 **SECTION 490g.** 20.455 (2) (r) of the statutes is amended to read:

6 20.455 (2) (r) *Gaming law enforcement; lottery revenues.* From the lottery fund,
7 the amounts in the schedule for the performance of the department's gaming law
8 enforcement responsibilities as specified in s. 165.70 (3m). No moneys may be
9 encumbered or expended from this appropriation account during the 1999–2001
10 fiscal biennium.

11 **SECTION 490m.** 20.455 (3) (ka) of the statutes is repealed.

12 **SECTION 491m.** 20.455 (5) (i) of the statutes is amended to read:

13 20.455 (5) (i) *Victim compensation, inmate payments.* All moneys received
14 under s. 303.06 (2) and ~~(3)~~ for the administration of ch. 949 and for crime victim
15 compensation payments or services.

16 **SECTION 492.** 20.455 (5) (k) of the statutes is amended to read:

17 20.455 (5) (k) *Interagency and intra-agency assistance; reimbursement to*
18 *counties.* The amounts in the schedule to provide services to state agencies relating
19 to victims and witnesses and to provide reimbursement to counties under s. 950.06
20 (2). All moneys received from the department or any other state agency for services
21 relating to victims and witnesses shall be credited to this appropriation.

22 **SECTION 493.** 20.455 (5) (kk) of the statutes is amended to read:

23 20.455 (5) (kk) *Reimbursement to counties for providing victim and witness*
24 *services.* All moneys transferred from the appropriation account under par. (kj) for

1 the purpose of reimbursing counties under s. 950.06 (2) for costs incurred in
2 providing services to victims and witnesses.

3 **SECTION 494.** 20.455 (5) (kp) of the statutes is created to read:

4 20.455 (5) (kp) *Reimbursement to counties for victim-witness services.* The
5 amounts in the schedule for the purpose of reimbursing counties under s. 950.06 (2)
6 for costs incurred in providing services to victims and witnesses of crime. All moneys
7 transferred from the appropriation account under s. 20.505 (6) (j) 11. shall be credited
8 to this appropriation account.

9 **SECTION 495.** 20.455 (5) (ma) of the statutes is created to read:

10 20.455 (5) (ma) *Federal aid; state operations relating to crime victim services.*
11 All moneys received as federal aid for the administration of crime victim services, as
12 authorized by the governor under s. 16.54, to carry out the purposes for which made
13 and received.

14 **SECTION 496m.** 20.465 (1) (kn) of the statutes is repealed.

15 **SECTION 496s.** 20.465 (2) (a) of the statutes is amended to read:

16 20.465 (2) (a) *Tuition grants.* The Biennially, the amounts in the schedule for
17 the payment of tuition grants to members of the Wisconsin national guard under s.
18 21.49 (3).

19 **SECTION 498.** 20.465 (4) (k) of the statutes is created to read:

20 20.465 (4) (k) *Interagency assistance; Badger Challenge program.* All moneys
21 received from other state agencies for operation of the Badger Challenge program
22 under s. 21.25, for that purpose.

23 **SECTION 498d.** 20.475 (1) (d) of the statutes is amended to read:

24 20.475 (1) (d) *Salaries and fringe benefits.* The amounts in the schedule for
25 salaries and fringe benefits of district attorneys and state employes of the office of

1 the district attorney and, for payments under s. 978.045 (2) (b) and, beginning in the
2 1999–2000 fiscal year and ending in the 2003–04 fiscal year, for a payment of \$80,000
3 in each fiscal year toward the department of administration’s unfunded prior service
4 liability under the Wisconsin retirement system that results from granting the
5 creditable service under s. 40.02 (17) (gm).

6 **SECTION 498m.** 20.475 (1) (f) of the statutes is created to read:

7 20.475 (1) (f) *Firearm prosecution costs; firearm law media campaign.* The
8 amounts in the schedule to reimburse Milwaukee County for the cost of clerks under
9 s. 978.13 (1) (d) and the cost of computers under 1999 Wisconsin Act (this act),
10 section 9101 (3c) and to reimburse the Milwaukee board of fire and police
11 commissioners for the costs of the media campaign under s. 62.50 (23m).

12 **SECTION 498t.** 20.485 (1) (title) of the statutes is amended to read:

13 20.485 (1) (title) HOME AND FACILITIES FOR VETERANS.

14 **SECTION 498v.** 20.485 (1) (gk) of the statutes is amended to read:

15 20.485 (1) (gk) *Institutional operations.* The amounts in the schedule for the
16 care of the Wisconsin ~~veterans home~~ Veterans Home and facilities. All moneys
17 received under par. (m) and s. 45.37 (9) (d) and (9d) shall be credited to this
18 appropriation.

19 **SECTION 499.** 20.485 (1) (gm) of the statutes is repealed.

20 **SECTION 499m.** 20.485 (2) (ka) of the statutes is repealed.

21 **SECTION 500.** 20.485 (2) (kg) of the statutes is created to read:

22 20.485 (2) (kg) *American Indian services coordinator.* The amounts in the
23 schedule for an American Indian services veterans benefits coordinator position. All
24 moneys transferred from the appropriation account under s. 20.505 (8) (hm) 13g.
25 shall be credited to this appropriation account.

1 **SECTION 501.** 20.485 (2) (km) of the statutes is created to read:

2 20.485 **(2)** (km) *American Indian grants.* The amounts in the schedule for
3 grants to American Indian tribes and bands under s. 45.35 (14) (h). All moneys
4 transferred from the appropriation account under s. 20.505 (8) (hm) 13t. shall be
5 credited to this appropriation account.

6 **SECTION 502m.** 20.485 (2) (x) of the statutes is amended to read:

7 20.485 **(2)** (x) *Federal per diem payments.* The amounts in the schedule for the
8 provision of assistance to veterans under s. 45.357. All moneys received from the
9 federal government as per diem payments for veterans participating in the veterans
10 assistance program under s. 45.357 ~~to be used for the purposes under s. 45.357~~ shall
11 be credited to this appropriation account.

12 **SECTION 503.** 20.485 (4) (a) of the statutes is repealed.

13 **SECTION 504.** 20.485 (4) (g) of the statutes is amended to read:

14 20.485 **(4)** (g) *Cemetery operations.* The amounts in the schedule for the care
15 and operation of the veterans memorial cemeteries under s. 45.358 other than those
16 costs provided under pars. (a), (q) and (r). All moneys received under s. 45.358 (3m)
17 shall be credited to this appropriation account.

18 **SECTION 505c.** 20.490 (5) (t) of the statutes is repealed.

19 **SECTION 508.** 20.505 (1) (a) of the statutes is amended to read:

20 20.505 **(1)** (a) *General program operations.* The amounts in the schedule for
21 administrative supervision, policy and fiscal planning and management and
22 prosecution services and to defray the expenses incurred by the building commission
23 not otherwise appropriated.

24 **SECTION 509.** 20.505 (1) (ab) of the statutes is repealed.

25 **SECTION 509v.** 20.505 (1) (cm) of the statutes is created to read:

1 20.505 (1) (cm) *Comprehensive planning grants*. The amounts in the schedule
2 to provide comprehensive planning grants to local governmental units under s.
3 16.965 (2).

4 **SECTION 509w.** 20.505 (1) (cm) of the statutes, as created by 1999 Wisconsin
5 Act (this act), is repealed.

6 **SECTION 509x.** 20.505 (1) (cn) of the statutes is created to read:

7 20.505 (1) (cn) *Comprehensive planning; administrative support*. The amounts
8 in the schedule for administrative support of comprehensive planning assistance
9 under s. 16.965.

10 **SECTION 509y.** 20.505 (1) (cn) of the statutes, as created by 1999 Wisconsin Act
11 (this act), is repealed.

12 **SECTION 510.** 20.505 (1) (d) of the statutes is repealed.

13 **SECTION 510m.** 20.505 (1) (e) of the statutes is created to read:

14 20.505 (1) (e) *Census education assistance*. Biennially, the amounts in the
15 schedule to make grants under 1999 Wisconsin Act (this act), section 9101 (19wx).
16 No moneys may be encumbered or expended under this paragraph without the
17 approval of the census education board.

18 **SECTION 511.** 20.505 (1) (fm) of the statutes, as affected by 1999 Wisconsin Act
19 (this act), is repealed.

20 **SECTION 511d.** 20.505 (1) (fn) of the statutes is repealed.

21 **SECTION 511h.** 20.505 (1) (fo) of the statutes is created to read:

22 20.505 (1) (fo) *Federal resource acquisition support grants*. The amounts in the
23 schedule for the department of administration to provide grants to any organization
24 with which the department contracts under s. 16.98 (4) to operate the federal
25 resource acquisition program.

1 **SECTION 511n.** 20.505 (1) (ge) of the statutes is created to read:

2 20.505 (1) (ge) *High-voltage transmission line annual impact fee distributions.*

3 All moneys received from the payment of fees under the rules promulgated under s.
4 16.969 (2) (a) for distributions to to towns, villages and cities under s. 16.969 (3) (a).

5 **SECTION 511r.** 20.505 (1) (gs) of the statutes is created to read:

6 20.505 (1) (gs) *High-voltage transmission line environmental impact fee*
7 *distributions.* All moneys received from the payment of fees under the rules
8 promulgated under s. 16.969 (2) (b) for distributions to counties, towns, villages and
9 cities under s. 16.969 (3) (b).

10 **SECTION 512.** 20.505 (1) (ij) of the statutes is amended to read:

11 20.505 (1) (ij) *Land information board; aids to counties.* From the moneys
12 received by the land information board under s. 59.72 (5) (a), all moneys not
13 appropriated under ~~par. (ie)~~ par. (ie) and (ik) for the purpose of providing aids to
14 counties for land information projects under s. 16.967 (7).

15 **SECTION 513.** 20.505 (1) (ik) of the statutes is created to read:

16 20.505 (1) (ik) *Land information board; soil surveys and mapping.* From the
17 moneys received by the land information board under s. 59.72 (5) (a), the amounts
18 in the schedule to perform soil survey and mapping activities under s. 16.967 (11).

19 **SECTION 514.** 20.505 (1) (ik) of the statutes, as created by 1999 Wisconsin Act
20 (this act), is repealed.

21 **SECTION 516.** 20.505 (1) (is) of the statutes is amended to read:

22 20.505 (1) (is) *Information technology processing services to nonstate entities.*

23 All moneys received from local governmental units and entities in the private sector
24 for provision of computer services, telecommunications services and supercomputer

1 services under s. 16.973 (2) (b) and (c) or under s. ~~196.218 (4r) (c)~~ 44.73 (2) (d), to
2 be used for the purpose of providing those services.

3 **SECTION 516m.** 20.505 (1) (j) of the statutes is amended to read:

4 20.505 (1) (j) *Gifts and donations.* ~~Except as provided in par. (jb), all~~ All moneys
5 received from gifts, grants, bequests and devises, to carry out the purposes for which
6 made and received.

7 **SECTION 517.** 20.505 (1) (ja) of the statutes is amended to read:

8 20.505 (1) (ja) *Justice information systems.* The amounts in the schedule for
9 the development and operation of automated justice information systems under s.
10 16.971 (9). ~~Four-sevenths~~ Four-ninths of the moneys received under s. 814.635 (1)
11 shall be credited to this appropriation account.

12 **SECTION 517e.** 20.505 (1) (ja) of the statutes, as affected by 1999 Wisconsin Act
13 (this act), is amended to read:

14 20.505 (1) (ja) *Justice information systems.* The amounts in the schedule for
15 the development and operation of automated justice information systems under s.
16 16.971 (9). ~~Four-ninths~~ Two-ninths of the moneys received under s. 814.635 (1)
17 shall be credited to this appropriation account.

18 **SECTION 517m.** 20.505 (1) (jb) of the statutes is repealed.

19 **SECTION 518.** 20.505 (1) (ka) of the statutes is amended to read:

20 20.505 (1) (ka) *Materials and services to state agencies and certain districts.*
21 The amounts in the schedule to provide services primarily to state agencies or local
22 professional baseball park districts created under subch. III of ch. 229, other than
23 services specified in pars. (im), (is) and (kb) to ~~(ks)~~ (ku) and subs. (2) (k) and (5) (ka),
24 and to repurchase inventory items sold primarily to state agencies or such districts.
25 All moneys received from the provision of services primarily to state agencies and

1 such districts and from the sale of inventory items primarily to state agencies and
2 such districts, other than moneys received and disbursed under pars. (im), (is) and
3 (kb) to ~~(ks)~~ (ku) and subs. (2) (k) and (5) (ka), shall be credited to this appropriation
4 account.

5 **SECTION 519.** 20.505 (1) (ka) of the statutes, as affected by 1997 Wisconsin Act
6 27, section 669am, is amended to read:

7 20.505 (1) (ka) *Materials and services to state agencies and certain districts.*
8 The amounts in the schedule to provide services primarily to state agencies or local
9 professional baseball park districts created under subch. III of ch. 229, other than
10 services specified in pars. (im), (is) and (kb) to ~~(kr)~~ (ku) and subs. (2) (k) and (5) (ka),
11 and to repurchase inventory items sold primarily to state agencies or such districts.
12 All moneys received from the provision of services primarily to state agencies and
13 such districts and from the sale of inventory items primarily to state agencies and
14 such districts, other than moneys received and disbursed under pars. (im), (is) and
15 (kb) to ~~(kr)~~ (ku) and subs. (2) (k) and (5) (ka), shall be credited to this appropriation
16 account.

17 **SECTION 520m.** 20.505 (1) (kc) of the statutes is amended to read:

18 20.505 (1) (kc) *Capital planning and building construction services.* The
19 amounts in the schedule to provide capital planning services under s. 13.48 (5) and
20 building construction services under subch. V of ch. 16 on behalf of state agencies and
21 local professional baseball park districts created under subch. III of ch. 229 and to
22 transfer to the appropriation account under s. 20.505 (1) (kw) the amount in the
23 schedule under s. 20.505 (1) (kw). The secretary of administration may credit
24 moneys received for the provision of building construction and capital planning
25 services on behalf of state agencies and such districts to this appropriation account.

1 **SECTION 520n.** 20.505 (1) (kc) of the statutes, as affected by 1999 Wisconsin Act
2 (this act), is amended to read:

3 20.505 (1) (kc) *Capital planning and building construction services.* The
4 amounts in the schedule to provide capital planning services under s. 13.48 (5) and
5 building construction services under subch. V of ch. 16 on behalf of state agencies and
6 local professional baseball park districts created under subch. III of ch. 229 and to
7 ~~transfer to the appropriation account under s. 20.505 (1) (kw) the amount in the~~
8 ~~schedule under s. 20.505 (1) (kw).~~ The secretary of administration may credit
9 moneys received for the provision of building construction and capital planning
10 services on behalf of state agencies and such districts to this appropriation account.

11 **SECTION 525.** 20.505 (1) (kL) of the statutes is amended to read:

12 20.505 (1) (kL) *Information technology processing services to agencies.* All
13 moneys received from state agencies for the provision of information technology
14 processing or telecommunications services under ss. 16.973 and 16.974 or under s.
15 44.73 (2) (d), to be used for the purpose of providing those services.

16 **SECTION 525g.** 20.505 (1) (kn) of the statutes is repealed.

17 **SECTION 525r.** 20.505 (1) (ko) of the statutes is repealed.

18 **SECTION 525x.** 20.505 (1) (kp) of the statutes is amended to read:

19 20.505 (1) (kp) *Interagency assistance; justice information systems.* The
20 amounts in the schedule for the development and operation of automated justice
21 information systems under s. 16.971 (9). All moneys transferred from the
22 appropriation account under sub. (6) (kt) and (pc) shall be credited to this
23 appropriation account.

24 **SECTION 526.** 20.505 (1) (kq) of the statutes is created to read:

1 20.505 (1) (kq) *Justice information systems development, operation and*
2 *maintenance.* The amounts in the schedule for the purpose of developing, operating
3 and maintaining automated justice information systems under s. 16.971 (9). All
4 moneys transferred from the appropriation account under s. 20.505 (6) (j) 12. shall
5 be credited to this appropriation account.

6 **SECTION 527.** 20.505 (1) (kt) of the statutes is created to read:

7 20.505 (1) (kt) *Land information board; soil surveys and mapping; state agency*
8 *support.* All moneys received by the land information board from assessments levied
9 against state agencies under s. 16.967 (11) to conduct soil surveys and soil mapping
10 activities.

11 **SECTION 527e.** 20.505 (1) (kt) of the statutes, as created by 1999 Wisconsin Act
12 (this act), is repealed.

13 **SECTION 527g.** 20.505 (1) (ku) of the statutes is created to read:

14 20.505 (1) (ku) *Management assistance grants to counties.* The amounts in the
15 schedule for the purpose of providing management assistance grants to counties
16 under s. 16.18. All moneys transferred from the appropriation account under sub.
17 (8) (hm) 18h. shall be credited to this appropriation account.

18 **SECTION 527s.** 20.505 (1) (kw) of the statutes is created to read:

19 20.505 (1) (kw) *Grant to Heritage Military Music Foundation.* The amounts
20 in the schedule to provide a grant to the Heritage Military Music Foundation, as
21 provided in s. 16.853. All moneys transferred from the appropriation account under
22 par. (kc) shall be credited to this appropriation account.

23 **SECTION 527t.** 20.505 (1) (kw) of the statutes, as created by 1999 Wisconsin Act
24 (this act), is repealed.

25 **SECTION 528.** 20.505 (1) (qm) of the statutes is repealed.

1 **SECTION 528m.** 20.505 (1) (r) of the statutes is amended to read:

2 20.505 (1) (r) ~~Information—technology—investment~~ VendorNet fund
3 ~~administration.~~ From the ~~information technology investment~~ VendorNet fund, the
4 amounts in the schedule for administration of the fund ~~under s. 16.971.~~

5 **SECTION 528p.** 20.505 (1) (s) of the statutes is created to read:

6 20.505 (1) (s) *Wisconsin sesquicentennial commission; payment of obligations.*
7 From the historical legacy trust fund, all moneys received from moneys deposited
8 under s. 14.26 (5g) (c) and (e), 1997 stats., for the purpose specified under s. 14.26 (7).

9 **SECTION 528t.** 20.505 (1) (v) of the statutes is amended to read:

10 20.505 (1) (v) *General program operations — environmental improvement*
11 *programs; state funds.* From the environmental improvement fund, the amounts in
12 the schedule for general program operations under s. 281.58, 281.59, ~~281.595,~~ 281.60
13 or 281.61.

14 **SECTION 528v.** 20.505 (1) (x) of the statutes is amended to read:

15 20.505 (1) (x) *General program operations — clean water fund program; federal*
16 *funds.* As a continuing appropriation, from the clean water fund program federal
17 revolving loan fund account in the environmental improvement fund, the amounts
18 in the schedule for general program operations of the clean water fund program and
19 the urban storm water loan program under s. ~~ss.~~ 281.58 ~~or,~~ 281.59 and 281.595.

20 **SECTION 529.** 20.505 (1) (z) of the statutes is created to read:

21 20.505 (1) (z) *Transportation planning grants to local governmental units.*
22 From the transportation fund, the amounts in the schedule to provide transportation
23 planning grants to local governmental units under s. 16.9651. All moneys received
24 from the federal government and transferred from the appropriation account under
25 s. 20.395 (3) (ix) shall be credited to this appropriation account.

1 **SECTION 530.** 20.505 (3) (e) of the statutes is repealed.

2 **SECTION 531.** 20.505 (3) (g) of the statutes is amended to read:

3 20.505 **(3)** (g) *Gifts and grants.* All moneys received from gifts, grants or
4 bequests by the women’s council or by any committee created by law or executive
5 order, ~~by the women’s council or by the office of mediation if the office is created by~~
6 ~~executive order under s. 14.019~~, to be used for the purposes for which made and
7 received.

8 **SECTION 531p.** 20.505 (4) (e) of the statutes is created to read:

9 20.505 **(4)** (e) *Technical college capacity building program.* The amounts in the
10 schedule for grants to technical college district boards under s. 16.004 (14).

11 **SECTION 532.** 20.505 (4) (fm) of the statutes is renumbered 20.505 (1) (fm).

12 **SECTION 533.** 20.505 (4) (j) of the statutes is renumbered 20.435 (3) (gb) and
13 amended to read:

14 20.435 **(3)** (gb) *National and community service board; gifts and grants.* All
15 moneys received from gifts, grants and bequests for the activities of the national and
16 community service board under s. ~~16.22~~ 46.78, to carry out the purpose for which
17 made and received.

18 **SECTION 533m.** 20.505 (4) (kb) of the statutes is repealed.

19 **SECTION 534.** 20.505 (4) (o) of the statutes is renumbered 20.435 (3) (om) and
20 amended to read:

21 20.435 **(3)** (om) *National and community service board; federal aid for*
22 *administration.* From the moneys received from the corporation for national and
23 community service under 42 USC 12542 (a) and 12571 (a), as a continuing
24 appropriation, the amounts in the schedule for the administration of the national
25 and community service program under s. ~~16.22~~ 46.78.

1 **SECTION 535.** 20.505 (4) (p) of the statutes is renumbered 20.435 (3) (p) and
2 amended to read:

3 20.435 **(3)** (p) *National and community service board; federal aid for grants.*
4 From the moneys received from the corporation for national and community service
5 under the national and community service trust act of 1993, P.L. 103–82 42 USC
6 12542 (a) and 12571 (a), all moneys not appropriated under par. (o) ~~(om)~~ for national
7 service program grants under s. ~~16.22~~ 46.78 (2) (h).

8 **SECTION 539.** 20.505 (6) (g) of the statutes is renumbered 20.505 (6) (kp) and
9 amended to read:

10 20.505 **(6)** (kp) *Anti-drug enforcement program, penalty assessment — local.*
11 ~~All moneys received from the penalty assessment surcharge on court fines and~~
12 ~~forfeitures as allocated under s. 165.87 (1) The amounts in the schedule to match~~
13 ~~federal funds made available under subtitle K of title I of P.L. 99–570, except as~~
14 ~~provided in par. (h) and s. 20.410 (3) (kj). The executive staff director of the office of~~
15 ~~justice assistance may transfer moneys not needed as matching funds under this~~
16 ~~paragraph to par. (h). The secretary of administration shall transfer \$645,000 from~~
17 ~~this paragraph to s. 20.410 (3) (kj) in each fiscal year. The secretary of administration~~
18 ~~shall transfer \$200,000 in fiscal year 1997–98 and \$200,000 in fiscal year 1998–99~~
19 ~~from this paragraph to the appropriation account under s. 20.455 (2) (k) for a drug~~
20 ~~enforcement tactical intelligence unit and shall transfer \$948,800 in fiscal year~~
21 ~~1998–99 from this paragraph to the appropriation account under s. 20.455 (2) (k) for~~
22 ~~a drug enforcement strategic intelligence unit. All moneys transferred from the~~
23 ~~appropriation account under par. (j) 3. shall be credited to this appropriation account.~~

24 **SECTION 540.** 20.505 (6) (h) of the statutes is renumbered 20.505 (6) (kt) and
25 amended to read:

1 20.505 (6) (kt) *Anti-drug enforcement program, penalty assessment — state.*
2 ~~All moneys transferred from par. (g) The amounts in the schedule to match federal~~
3 ~~funds made available under subtitle K of title I of P.L. 99–570 regarding allocations~~
4 ~~and allocated to state agencies for planning, programs and administration regarding~~
5 ~~anti-drug abuse law enforcement assistance. The secretary of administration shall~~
6 ~~transfer \$500,000 in fiscal year 1991–92 from this paragraph to s. 20.455 (2) (i) to~~
7 ~~carry out the purposes for which received. All moneys transferred from the~~
8 ~~appropriation account under par. (j) 14. shall be credited to this appropriation~~
9 ~~account.~~

10 **SECTION 541.** 20.505 (6) (i) of the statutes is created to read:

11 20.505 (6) (i) *Gifts and grants.* All moneys received from gifts and grants, other
12 than moneys received for and deposited in the appropriation accounts under pars.
13 (k) to (pc), to carry out the purposes for which made and received.

14 **SECTION 542.** 20.505 (6) (j) of the statutes is created to read:

15 20.505 (6) (j) *Penalty assessment surcharge receipts.* All moneys received from
16 the penalty assessment surcharge under s. 757.05 (2) (b) on court fines and
17 forfeitures and all moneys transferred under 1999 Wisconsin Act (this act),
18 sections 9201 (2m), (2n) and (2p), 9211 (2g), 9230 (1), (2m) and (3m), 9238 (1h) and
19 9239 (1h) and (2h), for the purpose of transferring the following amounts to the
20 following appropriation accounts:

21 3. The amount transferred to par. (kp) shall be the amount in the schedule
22 under par. (kp).

23 4. The amount transferred to s. 20.255 (1) (kd) shall be the amount in the
24 schedule under s. 20.255 (1) (kd).

1 5. The amount transferred to s. 20.255 (2) (kd) shall be the amount in the
2 schedule under s. 20.255 (2) (kd).

3 5m. The amount transferred to s. 20.410 (1) (kh) shall be the amount in the
4 schedule under s. 20.410 (1) (kh).

5 6. The amount transferred to s. 20.410 (1) (kp) shall be the amount in the
6 schedule under s. 20.410 (1) (kp).

7 8. The amount transferred to s. 20.410 (3) (kj) shall be the amount in the
8 schedule under s. 20.410 (3) (kj).

9 9. The amount transferred to s. 20.455 (2) (ke) shall be of the amount in the
10 schedule under s. 20.455 (2) (ke).

11 11. The amount transferred to s. 20.455 (5) (kp) shall be the amount in the
12 schedule under s. 20.455 (5) (kp).

13 12. The amount transferred to sub. (1) (kq) shall be the amount in the schedule
14 under sub. (1) (kq).

15 13. The amount transferred to par. (k) shall be the amount in the schedule
16 under par. (k).

17 14. The amount transferred to par. (kt) shall be the amount in the schedule
18 under par. (kt).

19 15. The amount transferred to s. 20.550 (1) (kj) shall be the amount in the
20 schedule under s. 20.550 (1) (kj).

21 16. The amount transferred to s. 20.680 (2) (kp) shall be the amount in the
22 schedule under s. 20.680 (2) (kp).

23 **SECTION 542f.** 20.505 (6) (j) 16. of the statutes, as created by 1999 Wisconsin
24 Act (this act), is repealed.

25 **SECTION 543.** 20.505 (6) (k) of the statutes is amended to read:

1 20.505 (6) (k) *Anti-drug enforcement program — administration. All moneys*
2 *received from any state agency for planning, programs and administration regarding*
3 *anti-drug abuse* The amounts in the schedule for the purpose of administering
4 federal grants for law enforcement assistance. All moneys transferred from the
5 appropriation account under par. (j) 13. shall be credited to this appropriation
6 account.

7 **SECTION 543x.** 20.505 (6) (kq) of the statutes is created to read:

8 20.505 (6) (kq) *County law enforcement services.* The amounts in the schedule
9 to provide grants to counties under s. 16.964 (7). All moneys transferred from the
10 appropriation account under sub. (8) (hm) 15d. shall be credited to this appropriation
11 account.

12 **SECTION 544.** 20.505 (6) (ks) of the statutes is created to read:

13 20.505 (6) (ks) *Tribal law enforcement assistance.* The amounts in the schedule
14 to provide grants for tribal law enforcement under s. 16.964 (6) and grants to Indian
15 tribes under s. 16.964 (8). All moneys transferred from the appropriation account
16 under s. 20.505 (8) (hm) 15. shall be credited to this appropriation account.

17 **SECTION 544m.** 20.505 (7) (jf) of the statutes is repealed.

18 **SECTION 545.** 20.505 (8) (g) (intro.) of the statutes is amended to read:

19 20.505 (8) (g) *General program operations; racing.* (intro.) The amounts in the
20 schedule for general program operations under ch. 562. All moneys received by the
21 department of administration under ss. 562.02 (2) (f), 562.04 (1) (b) 4. and (2) (d),
22 562.05 (2), 562.065 (3) (d) and (4), 562.09 (2) (e) and 562.124 (2), less the amounts
23 appropriated under s. 20.455 (2) (g), shall be credited to this appropriation account.
24 ~~Annually, of the moneys received under this appropriation account, an amount equal~~
25 ~~to 14% of the amount in the schedule under s. 20.435 (7) (kg) shall be transferred to~~

1 ~~the appropriation account under s. 20.435 (7) (kg).~~ The unencumbered balance in
2 this appropriation on June 30 of each fiscal year which exceeds 10% of that fiscal
3 year's expenditures under this appropriation, but not more than the total amount
4 received during that fiscal year under s. 562.065 (3) (d) and (4), shall be transferred
5 as follows:

6 **SECTION 546.** 20.505 (8) (h) of the statutes is amended to read:

7 20.505 **(8)** (h) *General program operations; Indian gaming.* The From the
8 moneys received under s. 569.06, the amounts in the schedule for general program
9 operations under ch. 569. All Indian gaming receipts, as defined in s. 569.01 (1m),
10 less the amounts appropriated under s. 20.455 (2) (gc), shall be credited to this
11 appropriation account. Annually, of the moneys received under this appropriation
12 account, an amount equal to 50% of the amount in the schedule under s. 20.435 (7)
13 (kg) shall be transferred to the appropriation account under s. 20.435 (7) (kg).

14 **SECTION 547.** 20.505 (8) (hm) (intro.) of the statutes is created to read:

15 20.505 **(8)** (hm) *Indian gaming receipts.* (intro.) All moneys received as Indian
16 gaming receipts, as defined in s. 569.01 (1m), less the amounts appropriated under
17 par. (h) and s. 20.455 (2) (gc), for the purpose of annually transferring the following
18 amounts:

19 **SECTION 548.** 20.505 (8) (hm) 1. of the statutes is created to read:

20 20.505 **(8)** (hm) 1. The amount transferred to s. 20.435 (7) (kg) shall be the
21 amount in the schedule under s. 20.435 (7) (kg).

22 **SECTION 549.** 20.505 (8) (hm) 1c. of the statutes is created to read:

23 20.505 **(8)** (hm) 1c. The amount transferred to s. 20.285 (1) (km) shall be the
24 amount in the schedule under s. 20.285 (1) (km).

25 **SECTION 550.** 20.505 (8) (hm) 1f. of the statutes is created to read:

1 20.505 (8) (hm) 1f. The amount transferred to the conservation fund shall be
2 \$2,500,000.

3 **SECTION 551.** 20.505 (8) (hm) 4b. of the statutes is created to read:

4 20.505 (8) (hm) 4b. The amount transferred to s. 20.215 (1) (km) shall be the
5 amount in the schedule under s. 20.215 (1) (km).

6 **SECTION 552.** 20.505 (8) (hm) 4h. of the statutes is created to read:

7 20.505 (8) (hm) 4h. The amount transferred to s. 20.245 (2) (km) shall be the
8 amount in the schedule under s. 20.245 (2) (km).

9 **SECTION 553.** 20.505 (8) (hm) 4i. of the statutes is created to read:

10 20.505 (8) (hm) 4i. The amount transferred to s. 20.235 (1) (k) shall be the
11 amount in the schedule under s. 20.235 (1) (k).

12 **SECTION 554.** 20.505 (8) (hm) 6. of the statutes is created to read:

13 20.505 (8) (hm) 6. The amount transferred to s. 20.380 (1) (kg) and (km)
14 combined shall be \$4,000,000.

15 **SECTION 555.** 20.505 (8) (hm) 6f. of the statutes is created to read:

16 20.505 (8) (hm) 6f. The amount transferred to s. 20.143 (1) (kf) shall be the
17 amount in the schedule under s. 20.143 (1) (kf).

18 **SECTION 556.** 20.505 (8) (hm) 6g. of the statutes is created to read:

19 20.505 (8) (hm) 6g. The amount transferred to s. 20.143 (1) (kg) shall be the
20 amount in the schedule under s. 20.143 (1) (kg).

21 **SECTION 557.** 20.505 (8) (hm) 6h. of the statutes is created to read:

22 20.505 (8) (hm) 6h. The amount transferred to s. 20.143 (1) (kh) shall be the
23 amount in the schedule under s. 20.143 (1) (kh).

24 **SECTION 558.** 20.505 (8) (hm) 6j. of the statutes is created to read:

1 20.505 (8) (hm) 6j. The amount transferred to s. 20.143 (1) (kj) shall be the
2 amount in the schedule under s. 20.143 (1) (kj).

3 **SECTION 559.** 20.505 (8) (hm) 6m. of the statutes is created to read:

4 20.505 (8) (hm) 6m. The amount transferred to s. 20.143 (1) (km) shall be the
5 amount in the schedule under s. 20.143 (1) (km).

6 **SECTION 562.** 20.505 (8) (hm) 6r. of the statutes is created to read:

7 20.505 (8) (hm) 6r. The amount transferred to s. 20.143 (1) (kr) shall be
8 \$388,700.

9 **SECTION 563.** 20.505 (8) (hm) 7. of the statutes is created to read:

10 20.505 (8) (hm) 7. The amount transferred to the appropriation account under
11 s. 20.435 (4) (ky) shall be \$2,055,000 in fiscal year 1999–2000 and \$2,115,000 in fiscal
12 year 2000–01.

13 **SECTION 564.** 20.505 (8) (hm) 8d. of the statutes is created to read:

14 20.505 (8) (hm) 8d. The amount transferred to s. 20.370 (4) (kk) shall be the
15 amount in the schedule under s. 20.370 (4) (kk).

16 **SECTION 565.** 20.505 (8) (hm) 8g. of the statutes is created to read:

17 20.505 (8) (hm) 8g. The amount transferred to s. 20.370 (1) (hk) shall be the
18 amount in the schedule under s. 20.370 (1) (hk).

19 **SECTION 565m.** 20.505 (8) (hm) 8i. of the statutes is created to read:

20 20.505 (8) (hm) 8i. The amount transferred to s. 20.370 (1) (Lk) shall be the
21 amount in the schedule under s. 20.370 (1) (Lk).

22 **SECTION 566.** 20.505 (8) (hm) 8k. of the statutes is created to read:

23 20.505 (8) (hm) 8k. The amount transferred to s. 20.370 (3) (ak) shall be the
24 amount in the schedule under s. 20.370 (3) (ak).

25 **SECTION 568.** 20.505 (8) (hm) 8r. of the statutes is created to read:

1 20.505 **(8)** (hm) 8r. The amount transferred to s. 20.370 (9) (hk) shall be the
2 amount in the schedule under s. 20.370 (9) (hk).

3 **SECTION 569.** 20.505 (8) (hm) 10. of the statutes is created to read:

4 20.505 **(8)** (hm) 10. The amount transferred to s. 20.235 (1) (km) shall be the
5 amount in the schedule under s. 20.235 (1) (km).

6 **SECTION 570.** 20.505 (8) (hm) 11. of the statutes is created to read:

7 20.505 **(8)** (hm) 11. The amount transferred to s. 20.255 (2) (km) shall be the
8 amount in the schedule under s. 20.255 (2) (km).

9 **SECTION 571.** 20.505 (8) (hm) 11a. of the statutes is created to read:

10 20.505 **(8)** (hm) 11a. The amount transferred to s. 20.285 (1) (kn) shall be the
11 amount in the schedule under s. 20.285 (1) (kn).

12 **SECTION 572.** 20.505 (8) (hm) 13g. of the statutes is created to read:

13 20.505 **(8)** (hm) 13g. The amount transferred to s. 20.485 (2) (kg) shall be the
14 amount in the schedule under s. 20.485 (2) (kg).

15 **SECTION 574.** 20.505 (8) (hm) 13t. of the statutes is created to read:

16 20.505 **(8)** (hm) 13t. The amount transferred to s. 20.485 (2) (km) shall be the
17 amount in the schedule under s. 20.485 (2) (km).

18 **SECTION 575.** 20.505 (8) (hm) 15. of the statutes is created to read:

19 20.505 **(8)** (hm) 15. The amount transferred to sub. (6) (ks) shall be the amount
20 in the schedule under sub. (6) (ks).

21 **SECTION 575L.** 20.505 (8) (hm) 15d. of the statutes is created to read:

22 20.505 **(8)** (hm) 15d. The amount transferred to sub. (6) (kq) shall be the
23 amount in the schedule under sub. (6) (kq).

24 **SECTION 576.** 20.505 (8) (hm) 15g. of the statutes is created to read:

1 20.505 (8) (hm) 15g. The amount transferred to s. 20.455 (2) (kt) shall be the
2 amount in the schedule under s. 20.455 (2) (kt).

3 **SECTION 577.** 20.505 (8) (hm) 15h. of the statutes is created to read:

4 20.505 (8) (hm) 15h. The amount transferred to s. 20.455 (2) (ku) shall be the
5 amount in the schedule under s. 20.455 (2) (ku).

6 **SECTION 579.** 20.505 (8) (hm) 17e. of the statutes is created to read:

7 20.505 (8) (hm) 17e. The amount transferred to s. 20.370 (6) (dk) shall be the
8 amount in the schedule under s. 20.370 (6) (dk).

9 **SECTION 580.** 20.505 (8) (hm) 17g. of the statutes is created to read:

10 20.505 (8) (hm) 17g. The amount transferred to s. 20.370 (6) (ck) shall be the
11 amount in the schedule under s. 20.370 (6) (ck).

12 **SECTION 581.** 20.505 (8) (hm) 17g. of the statutes, as created by 1999 Wisconsin
13 Act (this act), is repealed.

14 **SECTION 582.** 20.505 (8) (hm) 18. of the statutes is created to read:

15 20.505 (8) (hm) 18. The amount transferred to s. 20.435 (4) (kb) shall be the
16 amount in the schedule under s. 20.435 (4) (kb).

17 **SECTION 583.** 20.505 (8) (hm) 18b. of the statutes is created to read:

18 20.505 (8) (hm) 18b. The amount transferred to s. 20.435 (5) (ke) shall be the
19 amount in the schedule under s. 20.435 (5) (ke).

20 **SECTION 584.** 20.505 (8) (hm) 18c. of the statutes is created to read:

21 20.505 (8) (hm) 18c. The amount transferred to s. 20.435 (7) (kL) shall be the
22 amount in the schedule under s. 20.435 (7) (kL).

23 **SECTION 585.** 20.505 (8) (hm) 18d. of the statutes is created to read:

24 20.505 (8) (hm) 18d. The amount transferred to s. 20.435 (7) (km) shall be the
25 amount in the schedule under s. 20.435 (7) (km).

1 **SECTION 586.** 20.505 (8) (hm) 18e. of the statutes is created to read:

2 20.505 **(8)** (hm) 18e. The amount transferred to s. 20.445 (5) (kg) shall be the
3 amount in the schedule under s. 20.445 (5) (kg).

4 **SECTION 586f.** 20.505 (8) (hm) 18h. of the statutes is created to read:

5 20.505 **(8)** (hm) 18h. The amount transferred to sub. (1) (ku) shall be the
6 amount in the schedule under sub. (1) (ku).

7 **SECTION 586g.** 20.505 (8) (hm) 18j. of the statutes is created to read:

8 20.505 **(8)** (hm) 18j. The amount transferred to s. 20.445 (7) (kd) shall be the
9 amount in the schedule under s. 20.445 (7) (kd).

10 **SECTION 586h.** 20.505 (8) (hm) 19. of the statutes is created to read:

11 20.505 **(8)** (hm) 19. The amount transferred to s. 20.835 (2) (ka) shall be the sum
12 of the amounts calculated by the department of administration under s. 569.02 (5).

13 **SECTION 587.** 20.505 (9) of the statutes is renumbered 20.585 (2) and amended
14 to read:

15 20.585 **(2)** COLLEGE TUITION PREPAYMENT PROGRAM. (a) *Administrative expenses;*
16 *initial funds general fund.* ~~As a continuing appropriation, the~~ The amounts in the
17 schedule for the administrative expenses of the college tuition prepayment program
18 under s. ~~16.24~~ 14.63, including the expense of promoting the program.

19 (q) *Payment of tuition.* From the tuition trust fund, a sum sufficient for the
20 payment of tuition under s. ~~16.24~~ 14.63 (5).

21 (r) *Payment of refunds.* From the tuition trust fund, a sum sufficient for the
22 payment of refunds under s. ~~16.24~~ 14.63 (7).

23 (s) *Administrative expenses; tuition trust fund.* From the tuition trust fund, the
24 amounts in the schedule for the administrative expenses of the college tuition

1 prepayment program under s. ~~16.24~~ 14.63, including the expense of promoting the
2 program.

3 **SECTION 587b.** 20.505 (10) of the statutes is created to read:

4 20.505 (10) UTILITY PUBLIC BENEFITS. (q) *General program operations.* From
5 the utility public benefits fund, the amounts in the schedule for general program
6 operations.

7 (r) *Low-income assistance grants.* From the utility public benefits fund, a sum
8 sufficient for low-income assistance grants under s. 16.957 (2) (a).

9 (s) *Energy conservation and efficiency and renewable resource grants.* From the
10 utility public benefits fund, a sum sufficient for energy conservation and efficiency
11 and renewable resource grants under s. 16.957 (2) (b) 1. and to make the transfer to
12 the air quality improvement fund under s. 16.958 (2) (a).

13 **SECTION 587d.** 20.505 (11) of the statutes is created to read:

14 20.505 (11) AIR QUALITY IMPROVEMENT PROGRAM. (r) *Air quality improvement*
15 *grants.* From the air quality improvement fund, a sum sufficient equal to all moneys
16 transferred under s. 16.958 (2) (a) and all moneys received under s. 196.86 (2), for the
17 purpose of making grants under s. 16.958 (2) (b).

18 **SECTION 588.** 20.507 (1) (h) of the statutes is amended to read:

19 20.507 (1) (h) *Trust lands and investments — general program operations.* The
20 amounts in the schedule for the general program operations of the board as provided
21 under ss. 24.04, 24.09 (1) (bm), 24.53 and 24.62 (1). ~~Ninety percent of all~~ All amounts
22 deducted from the gross receipts of the appropriate funds as provided under ss. 24.04,
23 24.09 (1) (bm), 24.53 and 24.62 (1) shall be credited to this appropriation account.
24 Notwithstanding s. 20.001 (3) (a), the unencumbered balance at the end of each fiscal
25 year shall be transferred to the trust funds, as defined under s. 24.60 (5). The amount

1 transferred to each trust fund, as defined under s. 24.60 (5), shall bear the same
2 proportion to the total amount transferred to the trust funds that the gross receipts
3 of that trust fund bears to the total gross receipts credited to this appropriation
4 account during that fiscal year.

5 **SECTION 589m.** 20.510 (1) (ka) of the statutes is repealed.

6 **SECTION 590.** 20.512 (1) (k) of the statutes is created to read:

7 20.512 (1) (k) *Funds received from other state agencies.* All moneys received
8 from other state agencies for the purpose of providing employment services and
9 materials to state agencies.

10 **SECTION 590m.** 20.512 (1) (kb) of the statutes is repealed.

11 **SECTION 591b.** 20.515 (1) (ka) of the statutes is repealed.

12 **SECTION 591d.** 20.515 (1) (v) of the statutes is created to read:

13 20.515 (1) (v) *Provision of benefits.* Biennially, the amounts in the schedule for
14 providing benefits under the Wisconsin retirement system.

15 **SECTION 591e.** 20.515 (1) (v) of the statutes, as created by 1999 Wisconsin Act
16 (this act), is repealed.

17 **SECTION 591gb.** 20.515 (2) (title) of the statutes is created to read:

18 20.515 (2) (title) PRIVATE EMPLOYER HEALTH CARE COVERAGE PROGRAM.

19 **SECTION 591gd.** 20.515 (2) (title) of the statutes, as created by 1999 Wisconsin
20 Act (this act), section 591gb, is repealed.

21 **SECTION 591gm.** 20.515 (2) (a) of the statutes is created to read:

22 20.515 (2) (a) *Private employer health care coverage program; operating costs.*

23 Biennially, the amounts in the schedule for the operating costs relating to the private
24 employer health care coverage program under subch. X of ch. 40.

1 **SECTION 591go.** 20.515 (2) (a) of the statutes, as created by 1999 Wisconsin Act
2 (this act), section 591gm, is repealed.

3 **SECTION 591gt.** 20.515 (2) (b) of the statutes is created to read:

4 20.515 (2) (b) *Grant for program administrator's costs.* Biennially, the amounts
5 in the schedule for the grant under 1999 Wisconsin Act (this act), section 22 (3).

6 **SECTION 591gv.** 20.515 (2) (b) of the statutes, as created by 1999 Wisconsin Act
7 (this act), section 591gt, is repealed.

8 **SECTION 591gx.** 20.515 (2) (g) of the statutes is created to read:

9 20.515 (2) (g) *Private employer health care coverage plan.* All moneys received
10 under subch. X of ch. 40 from employers who elect to participate in the private
11 employer health care coverage program under subch. X of ch. 40, for the costs of
12 designing, marketing and contracting for or providing administrative services for
13 the program.

14 **SECTION 591gy.** 20.515 (2) (g) of the statutes, as created by 1999 Wisconsin Act
15 (this act), section 591gx, is repealed.

16 **SECTION 591r.** 20.521 (1) (ka) of the statutes is repealed.

17 **SECTION 592.** 20.525 (1) (i) of the statutes is amended to read:

18 20.525 (1) (i) *Gifts and grants.* All moneys received from gifts, grants, and
19 ~~bequests and devises for the advocacy activities under s. 14.19,~~ to carry out the
20 purposes for which made and received.

21 **SECTION 592m.** 20.525 (1) (ka) of the statutes is repealed.

22 **SECTION 593.** 20.525 (1) (kb) of the statutes is created to read:

23 20.525 (1) (kb) *Assistance from department of development.* All moneys
24 received from the department of development pursuant to any arrangement under

1 s. 14.18 to assist the governor in providing temporary assistance for needy families
2 under 42 USC 601 et. seq.

3 **SECTION 593ac.** 20.525 (1) (kb) of the statutes, as created by 1999 Wisconsin
4 Act (this act), is repealed.

5 **SECTION 593d.** 20.525 (1) (kf) of the statutes is created to read:

6 20.525 (1) (kf) *Literacy improvement aids, program revenues.* The amounts in
7 the schedule for the governor to provide grants for literacy improvement under s.
8 14.20. All moneys transferred from the appropriation account under s. 20.445 (3)
9 (mc) for this purpose shall be credited to this appropriation account.

10 **SECTION 593e.** 20.536 (1) (k) of the statutes is repealed and recreated to read:

11 20.536 (1) (k) *General program operations.* All moneys received from
12 assessments made under s. 25.187 (2) and from charges made under ss. 24.62 (1),
13 25.16 (8) and 25.17 (9) for the purpose of conducting general program operations.

14 **SECTION 593f.** 20.536 (1) (ka) of the statutes is amended to read:

15 20.536 (1) (ka) *General program operations; environmental improvement fund.*
16 All moneys received for providing services to the department of administration or the
17 department of natural resources in administering ss. 25.43, 281.58, 281.59, 281.595,
18 281.60, 281.61 and 281.62, for general program operations.

19 **SECTION 593g.** 20.540 (1) (ka) of the statutes is repealed.

20 **SECTION 593r.** 20.547 (1) (ka) of the statutes is repealed.

21 **SECTION 594.** 20.550 (1) (j) of the statutes is renumbered 20.550 (1) (kj) and
22 amended to read:

23 20.550 (1) (kj) *Conferences and training.* The amounts in the schedule to
24 sponsor conferences and training under ch. 977. All moneys received transferred
25 from the ~~penalty assessment surcharge on court fines and forfeitures as allocated~~

1 appropriation account under s. ~~165.87 (1) (br)~~ 20.505 (6) (j) 15. shall be credited to
2 this appropriation account.

3 **SECTION 594d.** 20.566 (1) (gc) of the statutes is repealed.

4 **SECTION 594f.** 20.566 (1) (gg) of the statutes is amended to read:

5 20.566 (1) (gg) *Administration of local taxes.* The amounts in the schedule for
6 administering the taxes under s. 66.75 (1m) (a) and (b) and subchs. VIII and IX of ch.
7 77. ~~Three percent~~ An amount equal to 2.55% of all moneys received from the taxes
8 imposed under s. 66.75 (1m) (a) and (b) and subchs. VIII and IX of ch. 77 shall be
9 credited to this appropriation.

10 **SECTION 594k.** 20.566 (1) (hp) of the statutes is amended to read:

11 20.566 (1) (hp) *Administration of endangered resources voluntary payments.*
12 The amounts in the schedule for the payment of all administrative costs, including
13 data processing costs, incurred in administering s. ~~ss.~~ 71.10 (5) and 71.30 (10). All
14 moneys certified under s. ~~ss.~~ 71.10 (5) (h) 1. and 71.30 (10) (h) 1. shall be credited to
15 this appropriation.

16 **SECTION 594m.** 20.566 (1) (hq) of the statutes is repealed.

17 **SECTION 595g.** 20.566 (2) (am) of the statutes is created to read:

18 20.566 (2) (am) *Lottery and gaming credit administration.* The amounts in the
19 schedule for the administration of the lottery and gaming credit. No moneys may be
20 encumbered or expended from this appropriation account after the day of publication
21 of the 2001–03 biennial budget act.

22 **SECTION 595m.** 20.566 (2) (r) of the statutes, as affected by 1999 Wisconsin Act
23 5, is amended to read:

24 20.566 (2) (r) *Lottery and gaming credit administration.* From the lottery fund,
25 the amounts in the schedule for the administration of the lottery and gaming credit.

1 No moneys may be encumbered or expended from this appropriation account during
2 the 1999–2001 fiscal year biennium.

3 **SECTION 596.** 20.566 (3) (a) of the statutes is amended to read:

4 20.566 (3) (a) *General program operations.* The amounts in the schedule for
5 the office of the secretary, the legal staff, stenographic reporter services, the research
6 and analysis division and the administrative services division and for space rental.

7 **SECTION 596m.** 20.566 (3) (ka) of the statutes is repealed.

8 **SECTION 596q.** 20.566 (8) (a) of the statutes is created to read:

9 20.566 (8) (a) *General program operations.* The amounts in the schedule for
10 general program operations under ch. 565. No moneys may be encumbered or
11 expended from this appropriation account after the day of publication of the 2001–03
12 biennial budget act.

13 **SECTION 596r.** 20.566 (8) (b) of the statutes is created to read:

14 20.566 (8) (b) *Retailer compensation.* A sum sufficient to pay compensation to
15 retailers under s. 565.10 (14) (b). No moneys may be encumbered or expended from
16 this appropriation account after the day of publication of the 2001–03 biennial
17 budget act.

18 **SECTION 596s.** 20.566 (8) (c) of the statutes is created to read:

19 20.566 (8) (c) *Vendor fees.* A sum sufficient to pay vendors for on–line and
20 instant ticket services and supplies provided by the vendors under contract under
21 s. 565.25 (2) (a). No moneys may be encumbered or expended from this appropriation
22 account after the day of publication of the 2001–03 biennial budget act.

23 **SECTION 597g.** 20.566 (8) (q) of the statutes, as affected by 1999 Wisconsin Act
24 5, is amended to read:

1 20.566 (8) (q) *General program operations*. From the lottery fund, the amounts
2 in the schedule for general program operations under ch. 565. No moneys may be
3 encumbered or expended from this appropriation account during the 1999–2001
4 fiscal biennium.

5 **SECTION 597c.** 20.566 (8) (r) of the statutes is amended to read:

6 20.566 (8) (r) *Retailer compensation*. From the lottery fund, a sum sufficient
7 to pay compensation to retailers under s. 565.10 (14) (b). No moneys may be
8 encumbered or expended from this appropriation account during the 1999–2001
9 fiscal biennium.

10 **SECTION 597f.** 20.566 (8) (v) of the statutes is amended to read:

11 20.566 (8) (v) *Vendor fees*. From the lottery fund, a sum sufficient to pay
12 vendors for on–line and instant ticket services and supplies provided by the vendors
13 under contract under s. 565.25 (2) (a). No moneys may be encumbered or expended
14 from this appropriation account during the 1999–2001 fiscal biennium.

15 **SECTION 597m.** 20.585 (1) (ka) of the statutes is repealed.

16 **SECTION 598x.** 20.625 (1) (k) of the statutes is repealed.

17 **SECTION 599.** 20.625 (1) (km) of the statutes is repealed.

18 **SECTION 600.** 20.660 (1) (k) of the statutes is repealed.

19 **SECTION 601.** 20.665 (1) (d) of the statutes is created to read:

20 20.665 (1) (d) *General program operations; judicial council*. The amounts in
21 the schedule for the general program operations of the judicial council.

22 **SECTION 601m.** 20.665 (1) (ka) of the statutes is repealed.

23 **SECTION 602.** 20.680 (1) (km) of the statutes is repealed.

24 **SECTION 602m.** 20.680 (2) (a) of the statutes is amended to read:

1 20.680 (2) (a) *General program operations.* ~~The Biennially, the amounts in the~~
2 schedule to carry into effect the functions of the director of state courts.

3 **SECTION 603.** 20.680 (2) (h) of the statutes is amended to read:

4 20.680 (2) (h) *Materials and services.* ~~The amounts in the schedule to provide~~
5 ~~services and replace inventory items under s. 758.19 (2).~~ All moneys received from
6 providing those services and selling documents under s. 758.19 (2) ~~shall be credited~~
7 ~~to this appropriation to provide services and sell documents related to uniform forms,~~
8 ~~special reports, photocopies and pamphlets under s. 758.19 (2).~~

9 **SECTION 604.** 20.680 (2) (i) of the statutes is amended to read:

10 20.680 (2) (i) *Municipal judge training.* ~~The amounts in the schedule for~~
11 ~~municipal judge training.~~ All moneys received from municipalities for municipal
12 judge training programs shall be credited to this appropriation to be used for
13 municipal judge training.

14 **SECTION 605.** 20.680 (2) (j) of the statutes is amended to read:

15 20.680 (2) (j) *Court information systems and interpreters.* ~~The amounts in the~~
16 ~~schedule for the operation of circuit court automated systems under s. 758.19 (4), the~~
17 ~~court of appeals automated information system and the supreme court automated~~
18 ~~information system and for the payment of interpreter fees under s. 885.37 (4) (a) 2.~~
19 All moneys received under ss. 814.61, 814.62 and 814.63 that are required to be
20 credited to this appropriation account under those sections and ~~two-sevenths~~
21 ~~four-ninths~~ of the moneys received under s. 814.635 (1) shall be credited to this
22 appropriation account. ~~The supreme court may transfer moneys from this~~
23 ~~appropriation account to the appropriation accounts under sub. (1) (km) and ss.~~
24 ~~20.625 (1) (km) and 20.660 (1) (k) for the operation of circuit court automated~~
25 ~~information systems under s. 758.19 (4).~~

1 **SECTION 605d.** 20.680 (2) (j) of the statutes, as affected by 1999 Wisconsin Act
2 (this act), is amended to read:

3 20.680 (2) (j) *Court information systems.* All moneys received under ss. 814.61,
4 814.62 and 814.63 that are required to be credited to this appropriation account
5 under those sections and ~~four-ninths~~ six-ninths of the moneys received under s.
6 814.635 (1) for the operation of circuit court automated information systems under
7 s. 758.19 (4).

8 **SECTION 605f.** 20.680 (2) (ka) of the statutes is repealed.

9 **SECTION 605g.** 20.680 (2) (kp) of the statutes is created to read:

10 20.680 (2) (kp) *Court information systems; penalty assessment receipts.* The
11 amounts in the schedule for the operation of circuit court automated information
12 systems under s. 758.19 (4). All moneys transferred from the appropriation account
13 under s. 20.505 (6) (j) 16. shall be credited to this appropriation account.

14 **SECTION 605h.** 20.680 (2) (kp) of the statutes, as created by 1999 Wisconsin Act
15 (this act), is repealed.

16 **SECTION 605m.** 20.680 (4) (a) of the statutes is amended to read:

17 20.680 (4) (a) *General program operations.* The Biennially, the amounts in the
18 schedule for general program operations.

19 **SECTION 606.** 20.680 (4) (g) of the statutes is amended to read:

20 20.680 (4) (g) *Library collections and services.* ~~The amounts in the schedule for~~
21 ~~photocopying and microfilm copying of documents, generation of copies of documents~~
22 ~~from optical disk or electronic storage, publication of books, computer services and~~
23 ~~other services provided by the state law library in carrying out its functions.~~ All
24 moneys received by the state law library as fees or other charges for photocopying,
25 microfilm copying, generation of copies of documents from optical disk or electronic

1 storage, computer services, sales of books and other services provided in carrying out
2 the functions of the library under s. 758.01 (2) ~~shall be credited to this appropriation~~
3 to provide photocopying and microfilm copying of documents, generation of copies of
4 documents from optical disk or electronic storage, publication of books, computer
5 services and other services.

6 **SECTION 606d.** 20.765 (1) (ka) of the statutes is repealed.

7 **SECTION 606t.** 20.835 (2) (dn) of the statutes is created to read:

8 20.835 (2) (dn) *Farmland tax relief credit.* A sum sufficient to pay the aggregate
9 claims approved under ss. 71.07 (3m) (c), 71.28 (2m) (c) and 71.47 (2m) (c), to the
10 extent that these claims are not paid under par. (ka). No moneys may be encumbered
11 or expended from this appropriation after the day of publication of the 2001–03
12 biennial budget act.

13 **SECTION 610.** 20.835 (2) (ep) of the statutes is amended to read:

14 20.835 (2) (ep) *Cigarette and tobacco product tax refunds.* A sum sufficient to
15 pay refunds under ss. 139.323 and, 139.325, 139.803 and 139.805.

16 **SECTION 611.** 20.835 (2) (f) of the statutes is amended to read:

17 20.835 (2) (f) *Earned income tax credit.* A sum sufficient to pay the excess
18 claims approved under s. 71.07 (9e), ~~except the claims paid under par. (k) that are~~
19 not paid under par. (kf).

20 **SECTION 612.** 20.835 (2) (k) of the statutes, as created by 1997 Wisconsin Act
21 27, is repealed.

22 **SECTION 612g.** 20.835 (2) (ka) of the statutes is created to read:

23 20.835 (2) (ka) *Farmland tax relief credit; Indian gaming receipts.* All moneys
24 transferred from the appropriation account under s. 20.505 (8) (hm) 19. to pay the
25 aggregate claims approved under ss. 71.07 (3m) (c), 71.28 (2m) (c) and 71.47 (2m) (c).

1 **SECTION 612m.** 20.835 (2) (kf) of the statutes is created to read:

2 20.835 (2) (kf) *Earned income tax credit; temporary assistance for needy*
3 *families.* The amounts in the schedule to be used to pay, to the extent permitted
4 under federal law, the claims approved under s. 71.07 (9e). All moneys transferred
5 from the appropriation account under s. 20.445 (3) (md) shall be credited to this
6 appropriation account.

7 **SECTION 612p.** 20.835 (2) (q) of the statutes is amended to read:

8 20.835 (2) (q) *Farmland tax relief credit.* From the lottery fund, a sum
9 sufficient to pay the aggregate claims approved under ss. 71.07 (3m) (c), 71.28 (2m)
10 (c) and 71.47 (2m) (c), to the extent that these claims are not paid under par. (ka).
11 No moneys may be encumbered or expended from this appropriation account during
12 the 1999–2001 fiscal biennium.

13 **SECTION 613.** 20.835 (4) (g) of the statutes is amended to read:

14 20.835 (4) (g) *County taxes.* All moneys received from the taxes imposed under
15 s. 77.70 for distribution to the counties that enact an ordinance imposing taxes under
16 that section and for interest payments on refunds under s. 77.76 (3), except that 1.5%
17 1.75% of those tax revenues collected under that section shall be credited to the
18 appropriation account under s. 20.566 (1) (g).

19 **SECTION 613e.** 20.835 (4) (gg) of the statutes is amended to read:

20 20.835 (4) (gg) *Local taxes.* ~~Ninety–seven percent of the All moneys received~~
21 ~~from the taxes imposed under s. 66.75 (1m) (a) and (b) and subchs. VIII and IX of ch.~~
22 ~~77, for distribution to the districts under subch. II of ch. 229 that impose those taxes,~~
23 except that 2.55% of those moneys shall be credited to the appropriation account
24 under s. 20.566 (1) (gg).

25 **SECTION 613f.** 20.855 (1) (bm) of the statutes is created to read:

1 20.855 (1) (bm) *Payment of canceled drafts.* A sum sufficient to pay demands
2 under s. 20.912 (3).

3 **SECTION 613g.** 20.855 (1) (dm) of the statutes is created to read:

4 20.855 (1) (dm) *Interest reimbursements to federal government.* A sum
5 sufficient to pay any interest reimbursement to the federal government relating to
6 the timing of expenditures by the state pursuant to a federal government grant
7 program or federal government contract.

8 **SECTION 613h.** 20.855 (1) (gm) of the statutes is created to read:

9 20.855 (1) (gm) *Payment of canceled drafts; program revenues.* From the
10 appropriate program revenue and program revenue–service accounts, a sum
11 sufficient to pay demands under s. 20.912 (3).

12 **SECTION 613k.** 20.855 (1) (rm) of the statutes is created to read:

13 20.855 (1) (rm) *Payment of canceled drafts; segregated revenues.* From the
14 appropriate segregated funds, a sum sufficient to pay demands under s. 20.912 (3).

15 **SECTION 613km.** 20.855 (4) (f) of the statutes is amended to read:

16 20.855 (4) (f) *Supplemental title fee matching.* From the general fund, a sum
17 sufficient equal to the amount of supplemental title fees collected under s. ss.
18 101.9208 (1) (dm) and 342.14 (3m), as determined under s. 85.037, to be transferred
19 to the environmental fund on October 1 annually.

20 **SECTION 613m.** 20.855 (8) of the statutes is created to read:

21 20.855 (8) MARQUETTE UNIVERSITY. (a) *Dental clinic and education facility;*
22 *principal repayment, interest and rebates.* A sum sufficient to reimburse s. 20.866
23 (1) (u) for the payment of principal and interest costs incurred in financing the
24 construction grant under s. 13.48 (32), and to make the payments determined by the

1 building commission under s. 13.488 (1) (m) that are attributable to the proceeds of
2 obligations incurred in financing the construction grant under s. 13.48 (32).

3 **SECTION 614.** 20.865 (1) (cb) of the statutes is created to read:

4 20.865 (1) (cb) *Pay rate or range adjustments.* The amounts in the schedule to
5 supplement the appropriations to the departments of corrections and health and
6 family services for the increased costs of compensation, as determined by the
7 secretary of administration, for employes of the departments of corrections and
8 health and family services who perform duties relating to the supervision of inmates
9 or residents and who received pay rate or range adjustments in 1999 under s. 230.09
10 (2) (b).

11 **SECTION 615.** 20.865 (1) (cb) of the statutes, as created by 1999 Wisconsin Act
12 (this act), is repealed.

13 **SECTION 616.** 20.865 (1) (e) of the statutes is created to read:

14 20.865 (1) (e) *Additional biweekly payroll.* The amounts in the schedule to pay
15 salary and fringe benefit costs incurred during the 27th pay period in any fiscal year
16 in which such a period occurs for employment of permanent state employes,
17 including permanent project employes, on the biweekly payroll system.

18 **SECTION 617.** 20.865 (1) (e) of the statutes, as created by 1999 Wisconsin Act
19 (this act), is repealed.

20 **SECTION 618.** 20.865 (1) (ib) of the statutes is created to read:

21 20.865 (1) (ib) *Pay rate or range adjustments; program revenues.* From the
22 appropriate program revenue and program revenue–service accounts, the amounts
23 in the schedule to supplement the appropriations to the departments of corrections
24 and health and family services for the increased costs of compensation, as
25 determined by the secretary of administration, for employes of the departments of

1 corrections and health and family services who perform duties relating to the
2 supervision of inmates or residents and who received pay rate or range adjustments
3 in 1999 under s. 230.09 (2) (b).

4 **SECTION 619.** 20.865 (1) (ib) of the statutes, as created by 1999 Wisconsin Act
5 (this act), is repealed.

6 **SECTION 620.** 20.865 (1) (jm) of the statutes is created to read:

7 20.865 (1) (jm) *Additional biweekly payroll; nonfederal program revenues.*

8 From the appropriate nonfederal program revenue and program revenue–service
9 accounts, a sum sufficient to pay salary and fringe benefit costs incurred during the
10 27th pay period in any fiscal year in which such a period occurs for employment of
11 permanent state employes, including permanent project employes, on the biweekly
12 payroll system.

13 **SECTION 621.** 20.865 (1) (jm) of the statutes, as created by 1999 Wisconsin Act
14 (this act), is repealed.

15 **SECTION 622.** 20.865 (1) (m) of the statutes is created to read:

16 20.865 (1) (m) *Additional biweekly payroll; federal program revenues.* From

17 the appropriate federal program revenue accounts, a sum sufficient to pay salary and
18 fringe benefit costs incurred during the 27th pay period in any fiscal year in which
19 such a period occurs for employment of permanent state employes, including
20 permanent project employes, on the biweekly payroll system.

21 **SECTION 623.** 20.865 (1) (m) of the statutes, as created by 1999 Wisconsin Act
22 (this act), is repealed.

23 **SECTION 624.** 20.865 (1) (tm) of the statutes is created to read:

24 20.865 (1) (tm) *Additional biweekly payroll; nonfederal segregated revenues.*

25 From the appropriate segregated funds derived from nonfederal segregated

1 revenues, a sum sufficient to pay salary and fringe benefit costs incurred during the
2 27th pay period in any fiscal year in which such a period occurs for employment of
3 permanent state employes, including permanent project employes, on the biweekly
4 payroll system.

5 **SECTION 625.** 20.865 (1) (tm) of the statutes, as created by 1999 Wisconsin Act
6 (this act), is repealed.

7 **SECTION 626.** 20.865 (1) (x) of the statutes is created to read:

8 20.865 (1) (x) *Additional biweekly payroll; federal segregated revenues.* From
9 the appropriate segregated funds derived from federal segregated revenues, a sum
10 sufficient to pay salary and fringe benefit costs incurred during the 27th pay period
11 in any fiscal year in which such a period occurs for employment of permanent state
12 employes, including permanent project employes, on the biweekly payroll system.

13 **SECTION 627.** 20.865 (1) (x) of the statutes, as created by 1999 Wisconsin Act
14 (this act), is repealed.

15 **SECTION 628.** 20.866 (1) (u) of the statutes, as affected by 1997 Wisconsin Act
16 27, section 727, is amended to read:

17 20.866 (1) (u) *Principal repayment and interest.* A sum sufficient from moneys
18 appropriated under sub. (2) (zp) and ss. 20.115 (2) (d) and (7) (b) and (f), 20.190 (1)
19 (c), (d), (i) and (j), 20.225 (1) (c), 20.245 (1) (e), (2) (e) and (j), (3) (e), (4) (e) and (5) (e),
20 20.250 (1) (e), 20.255 (1) (d), 20.275 (1) (er), (es), (h) and (hb), 20.285 (1) (d), (db), (fh),
21 (ih) and (kd) and (km) and (5) (i), 20.320 (1) (c) and (t) and (2) (c), 20.370 (7) (aa), (ac),
22 (ag), (aq), (ar), (at), (au), (ba), (ca), (cb), (cc), (cd), (ce), (cf), (da), (ea), (eq) and (er),
23 20.395 (6) (aq) and (ar), 20.410 (1) (e), (ec) and (ko) and (3) (e), 20.435 (2) (ee) and (6)
24 (e), 20.465 (1) (d), 20.485 (1) (f) and (go), (3) (t) and (4) (qm), 20.505 (5) (c), (g) and (kc),
25 20.855 (8) (a) and 20.867 (1) (a) and (b) and (3) (a), (b), (bp), (br), (g), (h), (i) and (q)

1 for the payment of principal and interest on public debt contracted under subchs. I
2 and IV of ch. 18.

3 **SECTION 628b.** 20.866 (1) (u) of the statutes, as affected by 1999 Wisconsin Act
4 (this act), is repealed and recreated to read:

5 20.866 (1) (u) *Principal repayment and interest.* A sum sufficient from moneys
6 appropriated under sub. (2) (zp) and ss. 20.115 (2) (d) and (7) (b) and (f), 20.190 (1)
7 (c), (d), (i) and (j), 20.225 (1) (c), 20.245 (1) (e), (2) (e) and (j), (3) (e), (4) (e) and (5) (e),
8 20.250 (1) (e), 20.255 (1) (d), 20.275 (1) (er), (es), (h) and (hb), 20.285 (1) (d), (db), (fh),
9 (ih), (kd) and (km) and (5) (i), 20.320 (1) (c) and (t) and (2) (c), 20.370 (7) (aa), (ac), (ag),
10 (aq), (ar), (at), (ba), (ca), (cb), (cc), (cd), (ce), (cf), (da), (ea), (eq) and (er), 20.395 (6) (aq)
11 and (ar), 20.410 (1) (e), (ec) and (ko) and (3) (e), 20.435 (2) (ee) and (6) (e), 20.465 (1)
12 (d), 20.485 (1) (f) and (go), (3) (t) and (4) (qm), 20.505 (5) (c), (g) and (kc), 20.855 (8)
13 (a) and 20.867 (1) (a) and (b) and (3) (a), (b), (bp), (br), (g), (h), (i) and (q) for the
14 payment of principal and interest on public debt contracted under subchs. I and IV
15 of ch. 18.

16 **SECTION 628m.** 20.866 (2) (s) of the statutes, as affected by 1997 Wisconsin Act
17 27, section 727m, is amended to read:

18 20.866 (2) (s) *University of Wisconsin; academic facilities.* From the capital
19 improvement fund, a sum sufficient for the board of regents of the university of
20 Wisconsin system to acquire, construct, develop, enlarge or improve university
21 academic educational facilities and facilities to support such facilities. The state may
22 contract public debt in an amount not to exceed ~~\$791,009,100~~ \$856,708,700 for this
23 purpose.

24 **SECTION 629e.** 20.866 (2) (t) of the statutes is amended to read:

1 20.866 (2) (t) *University of Wisconsin; self-amortizing facilities.* From the
2 capital improvement fund, a sum sufficient for the board of regents of the university
3 of Wisconsin system to acquire, construct, develop, enlarge or improve university
4 self-amortizing educational facilities. The state may contract public debt in an
5 amount not to exceed \$438,248,600 \$513,941,400 for this purpose. Of this amount,
6 \$4,500,000 is allocated only for the university of Wisconsin–Madison indoor practice
7 facility for athletic programs and only at the time that ownership of the facility is
8 transferred to the state.

9 **SECTION 629m.** 20.866 (2) (ta) of the statutes is created to read:

10 20.866 (2) (ta) *Natural resources; Warren Knowles–Gaylord Nelson*
11 *stewardship 2000 program.* From the capital improvement fund a sum sufficient for
12 the Warren Knowles–Gaylord Nelson stewardship 2000 program under s. 23.0917.
13 The state may contract public debt in an amount not to exceed \$460,000,000 for this
14 program. Except as provided in s. 23.0917 (4g) (b), (4m) (k), (5) and (5m), the amounts
15 obligated, as defined in s. 23.0917 (1) (e), under this paragraph may not exceed
16 \$46,000,000 in each fiscal year.

17 **SECTION 629s.** 20.866 (2) (tc) of the statutes is amended to read:

18 20.866 (2) (tc) *Clean water fund program.* From the capital improvement fund,
19 a sum sufficient for the ~~purpose~~ purposes of s. 281.57 (10m) and (10r) and to be
20 transferred to the environmental improvement fund for the purposes of the clean
21 water fund program and the urban storm water loan program under ss. 281.58 and,
22 281.59 and 281.595. The state may contract public debt in an amount not to exceed
23 \$552,743,200 \$556,843,200 for this purpose. Of this amount, the amount needed to
24 meet the requirements for state deposits under 33 USC 1382 is allocated for those
25 deposits. Of this amount, \$8,250,000 is allocated to fund the minority business

1 development and training program under s. 66.905 (2) (b). Moneys from this
2 appropriation account may be expended for the ~~purpose~~ purposes of s. 281.57 (10m)
3 and (10r) only in the amount by which the department of natural resources and the
4 department of administration determine that moneys available under par. (tn) are
5 insufficient for the ~~purpose for~~ purposes of s. 281.57 (10m) and (10r).

6 **SECTION 630.** 20.866 (2) (td) of the statutes is amended to read:

7 20.866 (2) (td) *Safe drinking water loan program.* From the capital
8 improvement fund, a sum sufficient to be transferred to the environmental
9 improvement fund for the safe drinking water loan program under s. 281.61. The
10 state may contract public debt in an amount not to exceed ~~\$12,130,000~~ \$26,210,000
11 for this purpose.

12 **SECTION 631b.** 20.866 (2) (te) of the statutes is amended to read:

13 20.866 (2) (te) *Natural resources; nonpoint source grants.* From the capital
14 improvement fund, a sum sufficient for the department of natural resources to
15 provide funds for nonpoint source water pollution abatement projects under ~~ss. s.~~
16 ~~281.16 (5) and~~ 281.65. The state may contract public debt in an amount not to exceed
17 ~~\$34,363,600~~ \$56,763,600 for this purpose. ~~Of this amount, \$2,000,000 may only be~~
18 ~~used for projects selected under s. 281.65 (4c) (c) after July 1, 1998.~~

19 **SECTION 632b.** 20.866 (2) (tf) of the statutes is amended to read:

20 20.866 (2) (tf) *Natural resources; nonpoint source ~~compliance.~~* From the capital
21 improvement fund, a sum sufficient for the department of natural resources to fund
22 ~~cost-sharing grants under s. 281.16 (5) for projects to assist agricultural facilities to~~
23 ~~comply with the performance standards, prohibitions, conservation practices and~~
24 ~~technical standards under s. 281.16 (3) and, before any rules promulgated under s.~~
25 ~~281.16 (3) take effect, to fund nonpoint source water pollution abatement projects~~

1 under s. 281.65. The state may contract public debt in an amount not to exceed
2 \$2,000,000 for this purpose.

3 **SECTION 632f.** 20.866 (2) (th) of the statutes is created to read:

4 20.866 (2) (th) *Natural resources; urban nonpoint source cost-sharing.* From
5 the capital improvement fund, a sum sufficient for the department of natural
6 resources to provide cost-sharing grants for urban nonpoint source water pollution
7 abatement and storm water management projects under s. 281.66. The state may
8 contract public debt in an amount not to exceed \$15,000,000 for this purpose.

9 **SECTION 632h.** 20.866 (2) (ti) of the statutes is created to read:

10 20.866 (2) (ti) *Natural resources; municipal flood control and riparian*
11 *restoration.* From the capital improvement fund, a sum sufficient for the department
12 of natural resources to provide municipal flood control and riparian restoration
13 cost-sharing grants under s. 281.665. The state may contract public debt in an
14 amount not to exceed \$13,000,000 for this purpose.

15 **SECTION 632m.** 20.866 (2) (tk) of the statutes is amended to read:

16 20.866 (2) (tk) *Natural resources; environmental segregated fund supported*
17 *administrative facilities.* From the capital improvement fund, a sum sufficient for
18 the department of natural resources to acquire, construct, develop, enlarge or
19 improve natural resource administrative office, laboratory, equipment storage and
20 maintenance facilities. The state may contract public debt in an amount not to
21 exceed \$145,000 \$3,050,900 for this purpose.

22 **SECTION 633.** 20.866 (2) (tL) of the statutes is amended to read:

23 20.866 (2) (tL) *Natural resources; segregated revenue supported dam*
24 *maintenance, repair, modification, abandonment and removal safety projects.* From
25 the capital improvement fund, a sum sufficient for the department of natural

1 resources to provide financial assistance to counties, cities, villages, towns and
2 public inland lake protection and rehabilitation districts ~~in conducting for dam~~
3 ~~maintenance, repair, modification, abandonment and removal~~ safety projects under
4 s. 31.385. The state may contract public debt in an amount not to exceed \$6,350,000
5 for this purpose.

6 **SECTION 633g.** 20.866 (2) (tn) of the statutes is amended to read:

7 20.866 **(2)** (tn) *Natural resources; pollution abatement and sewage collection*
8 *facilities.* From the capital improvement fund, a sum sufficient to the department
9 of natural resources to acquire, construct, develop, enlarge or improve point source
10 water pollution abatement facilities and sewage collection facilities under s. 281.57
11 and to upgrade or replace a drinking water treatment plant under s. 281.57 (10t)
12 including eligible engineering design costs. Payments may be made from this
13 appropriation for capital improvement expenditures and encumbrances authorized
14 under s. 281.57 before July 1, 1990, except for reimbursements made under s. 281.57
15 (9m) (a) and except as provided in s. 281.57 (10m), (10r) and (10t). Payments may
16 also be made from this appropriation for expenditures and encumbrances resulting
17 from disputed costs under s. 281.57 if an appeal of an eligibility determination is filed
18 before July 1, 1990, and the result of the dispute requires additional funds for an
19 eligible project. The state may contract public debt in an amount not to exceed
20 \$902,449,800 for this purpose.

21 **SECTION 633m.** 20.866 (2) (tr) of the statutes is amended to read:

22 20.866 **(2)** (tr) *Natural resources; recreation development.* From the capital
23 improvement fund, a sum sufficient for the department of natural resources to
24 acquire, construct, develop, enlarge or improve state recreation facilities and state

1 fish hatcheries. The state may contract public debt in an amount not to exceed
2 ~~\$23,061,500~~ \$23,173,500 for this purpose.

3 **SECTION 633p.** 20.866 (2) (tu) of the statutes is amended to read:

4 20.866 (2) (tu) *Natural resources; segregated revenue supported facilities.* From
5 the capital improvement fund, a sum sufficient for the department of natural
6 resources to acquire, construct, develop, enlarge or improve natural resource
7 administrative office, laboratory, equipment storage or maintenance facilities and to
8 acquire, construct, develop, enlarge or improve state recreation facilities and state
9 fish hatcheries. The state may contract public debt in an amount not to exceed
10 ~~\$18,746,600~~ \$23,376,600 for this purpose.

11 **SECTION 633r.** 20.866 (2) (tv) of the statutes is amended to read:

12 20.866 (2) (tv) *Natural resources; general fund supported administrative*
13 *facilities.* From the capital improvement fund, a sum sufficient for the department
14 of natural resources to acquire, construct, develop, enlarge or improve natural
15 resource administrative office, laboratory, equipment, storage or maintenance
16 facilities. The state may contract public debt in an amount not to exceed ~~\$8,295,800~~
17 \$10,882,400 for this purpose.

18 **SECTION 634.** 20.866 (2) (tx) of the statutes is amended to read:

19 20.866 (2) (tx) *Natural resources; dam ~~maintenance, repair, modification,~~*
20 *~~abandonment and removal~~ safety projects.* From the capital improvement fund, a
21 sum sufficient for the department of natural resources to provide financial
22 assistance to counties, cities, villages, towns and public inland lake protection and
23 rehabilitation districts ~~in conducting for~~ dam maintenance, repair, modification,
24 ~~abandonment and removal~~ safety projects under s. 31.385. The state may contract
25 public debt in an amount not to exceed \$5,500,000 for this purpose.

1 **SECTION 634m.** 20.866 (2) (tz) of the statutes is amended to read:

2 20.866 (2) (tz) *Natural resources; Warren Knowles-Gaylord Nelson*
3 *stewardship program.* From the capital improvement fund a sum sufficient for the
4 purposes specified in s. 23.0915 (1). The state may contract public debt in an amount
5 not to exceed \$231,000,000 for this purpose. ~~Except as provided in s. 23.0915 (2), the~~
6 ~~amounts expended under this paragraph and the amounts received and expended~~
7 ~~by the state for land acquisition under 16 USC 669-669i, 777-777i and~~
8 ~~460L-460L-22 may not exceed \$25,000,000 in each fiscal year.~~

9 **SECTION 635.** 20.866 (2) (uv) of the statutes is amended to read:

10 20.866 (2) (uv) *Transportation, harbor improvements.* From the capital
11 improvement fund, a sum sufficient for the department of transportation to provide
12 grants for harbor improvements. The state may contract public debt in an amount
13 not to exceed ~~\$15,000,000~~ \$22,000,000 for this purpose.

14 **SECTION 636.** 20.866 (2) (uw) of the statutes is amended to read:

15 20.866 (2) (uw) *Transportation; rail acquisitions and improvements.* From the
16 capital improvement fund, a sum sufficient for the department of transportation to
17 acquire railroad property under ss. 85.08 (2) (L) and 85.09; and to provide grants and
18 loans for rail property acquisitions and improvements under s. 85.08 (4m) (c) and (d).
19 The state may contract public debt in an amount not to exceed ~~\$19,000,000~~
20 \$23,500,000 for these purposes.

21 **SECTION 636d.** 20.866 (2) (ux) of the statutes is amended to read:

22 20.866 (2) (ux) *Corrections; correctional facilities.* From the capital
23 improvement fund, a sum sufficient for the department of corrections to acquire,
24 construct, develop, enlarge or improve adult and juvenile correctional facilities. The

1 state may contract public debt in an amount not to exceed \$594,680,500
2 \$697,679,300 for this purpose.

3 **SECTION 636p.** 20.866 (2) (uz) of the statutes is amended to read:

4 20.866 (2) (uz) *Corrections; juvenile correctional facilities.* From the capital
5 improvement fund, a sum sufficient for the department of corrections to acquire,
6 construct, develop, enlarge or improve juvenile correctional facilities. The state may
7 contract public debt in an amount not to exceed ~~\$26,441,500~~ \$27,726,500 for this
8 purpose.

9 **SECTION 636t.** 20.866 (2) (v) of the statutes, as affected by 1997 Wisconsin Act
10 27, is amended to read:

11 20.866 (2) (v) *Health and family services; mental health and secure treatment*
12 *facilities.* From the capital improvement fund, a sum sufficient for the department
13 of health and family services to acquire, construct, develop, enlarge or extend mental
14 health and secure treatment facilities. The state may contract public debt in an
15 amount not to exceed ~~\$118,712,500~~ \$125,705,700 for this purpose.

16 **SECTION 637.** 20.866 (2) (we) of the statutes is amended to read:

17 20.866 (2) (we) *Agriculture; soil and water.* From the capital improvement
18 fund, a sum sufficient for the department of agriculture, trade and consumer
19 protection to provide for soil and water resource management under s. 92.14. The
20 state may contract public debt in an amount not to exceed ~~\$3,000,000~~ \$6,575,000 for
21 this purpose.

22 **SECTION 637e.** 20.866 (2) (wf) of the statutes is created to read:

23 20.866 (2) (wf) *Agriculture; conservation reserve enhancement.* From the
24 capital improvement fund, a sum sufficient for the department of agriculture, trade
25 and consumer protection to fund the conservation reserve enhancement program

1 under s. 93.70. The state may contract public debt in an amount not to exceed
2 \$40,000,000 for this purpose.

3 **SECTION 638b.** 20.866 (2) (xb) of the statutes is amended to read:

4 20.866 (2) (xb) *Building commission; refunding corporation self-amortizing*
5 *debt.* From the capital improvement fund, a sum sufficient to fund or refund the
6 whole or any part of any unpaid indebtedness used to finance self-amortizing
7 facilities in which program revenues or corresponding segregated revenues from
8 program receipts reimburse lease rental payments advanced by general purpose
9 revenue, and incurred prior to January 1, 1970, by the Wisconsin state agencies
10 building corporation, Wisconsin state colleges building corporation or Wisconsin
11 university building corporation. The state may contract public debt in an amount
12 not to exceed ~~\$1,940,000~~ \$870,000 for this purpose. Such indebtedness shall be
13 construed to include any premium payable with respect thereto. Debt incurred by
14 this paragraph shall be repaid under the appropriations providing for the retirement
15 of public debt incurred under par. (t), (u), (ur) or (zz) in proportional amounts to the
16 purposes for which the debt was refinanced. The refunding authority provided in
17 this paragraph may be used only if the true interest costs to the state can be reduced
18 thereby.

19 **SECTION 638c.** 20.866 (2) (y) of the statutes is amended to read:

20 20.866 (2) (y) *Building commission; housing state departments and agencies.*
21 From the capital improvement fund, a sum sufficient to the building commission for
22 the purpose of housing state departments and agencies. The state may contract
23 public debt in an amount not to exceed ~~\$259,727,600~~ \$328,146,600 for this purpose.

24 **SECTION 638g.** 20.866 (2) (yg) of the statutes is amended to read:

1 20.866 (2) (yg) *Building commission; project contingencies.* From the capital
2 improvement fund, a sum sufficient to the building commission for the purpose of
3 funding project contingencies for projects enumerated in the authorized state
4 building program for state departments and agencies. The state may contract public
5 debt in an amount not to exceed ~~\$28,233,200~~ \$36,188,400 for this purpose.

6 **SECTION 638n.** 20.866 (2) (ym) of the statutes is amended to read:

7 20.866 (2) (ym) *Building commission; capital equipment acquisition.* From the
8 capital improvement fund, a sum sufficient to the state building commission to
9 acquire capital equipment for state departments and agencies. The state may
10 contract public debt in an amount not to exceed ~~\$84,312,100~~ \$105,370,400 for this
11 purpose.

12 **SECTION 638r.** 20.866 (2) (z) (intro.) of the statutes is amended to read:

13 20.866 (2) (z) *Building commission; other public purposes.* (intro.) From the
14 capital improvement fund, a sum sufficient to the building commission for relocation
15 assistance and capital improvements for other public purposes authorized by law but
16 not otherwise specified in this chapter. The state may contract public debt in an
17 amount not to exceed ~~\$919,466,000~~ \$1,056,769,500 for this purpose. Of this amount:

18 **SECTION 638w.** 20.866 (2) (zbm) of the statutes is created to read:

19 20.866 (2) (zbm) *Marquette University; dental clinic and education facility.*
20 From the capital improvement fund, a sum sufficient to provide a grant to Marquette
21 University to aid in the construction of a dental clinic and education facility. The
22 state may contract public debt in an amount not to exceed \$15,000,000 for this
23 purpose.

24 **SECTION 638x.** 20.866 (2) (zbp) of the statutes is created to read:

1 20.866 (2) (zbp) *Swiss cultural center*. From the capital improvement fund, a
2 sum sufficient for the building commission to provide grants to the organization
3 known as the Swiss Cultural Center to aid in the construction of a Swiss cultural
4 center in the village of New Glarus. The state may contract public debt in an amount
5 not to exceed \$1,000,000 for this purpose.

6 **SECTION 638y.** 20.866 (2) (zbr) of the statutes is created to read:

7 20.866 (2) (zbr) *Milwaukee Police Athletic League; youth activities center*. From
8 the capital improvement fund, a sum sufficient for the building commission to
9 provide a grant to the Milwaukee Police Athletic League to aid in the construction
10 of the youth activities center specified in s. 13.48 (34). The state may contract public
11 debt in an amount not to exceed \$1,000,000 for this purpose.

12 **SECTION 639.** 20.866 (2) (zc) of the statutes is amended to read:

13 20.866 (2) (zc) *Technology for educational achievement in Wisconsin board;*
14 *school district educational technology infrastructure ~~loans~~ financial assistance.*
15 From the capital improvement fund, a sum sufficient for the technology for
16 educational achievement in Wisconsin board to ~~make subsidized~~ provide educational
17 technology infrastructure ~~loans~~ financial assistance to school districts under s. 44.72
18 (4). The state may contract public debt in an amount not to exceed \$100,000,000 for
19 this purpose.

20 **SECTION 640.** 20.866 (2) (zcm) of the statutes is amended to read:

21 20.866 (2) (zcm) *Technology for educational achievement in Wisconsin board;*
22 *public library educational technology infrastructure ~~loans~~ financial assistance.*
23 From the capital improvement fund, a sum sufficient for the technology for
24 educational achievement in Wisconsin board to ~~make subsidized~~ provide educational
25 technology infrastructure ~~loans~~ financial assistance to public library boards under

1 s. 44.72 (4). The state may contract public debt in an amount not to exceed
2 \$10,000,000 for this purpose.

3 **SECTION 641g.** 20.866 (2) (zd) of the statutes is amended to read:

4 20.866 (2) (zd) *Educational communications board; educational*
5 *communications facilities.* From the capital improvement fund, a sum sufficient for
6 the educational communications board to acquire, construct, develop, enlarge or
7 improve educational communications facilities. The state may contract public debt
8 in an amount not to exceed ~~\$8,354,100~~ \$8,658,100 for this purpose.

9 **SECTION 641m.** 20.866 (2) (zfm) of the statutes is created to read:

10 20.866 (2) (zfm) *Historical society; heritage trust program.* From the capital
11 improvement fund, a sum sufficient for the historical society to award grants under
12 s. 44.49. The state may contract public debt in an amount not to exceed \$20,000,000
13 for this purpose. The total amount of debt authorized under this paragraph may not
14 exceed the following amounts on the following dates:

- 15 1. Prior to July 1, 2000, \$2,000,000.
- 16 2. July 1, 2000, to June 30, 2001, \$4,000,000.
- 17 3. July 1, 2001, to June 30, 2002, \$6,000,000.
- 18 4. July 1, 2002, to June 30, 2003, \$8,000,000.
- 19 5. July 1, 2003, to June 30, 2004, \$10,000,000.
- 20 6. July 1, 2004, to June 30, 2005, \$12,000,000.
- 21 7. July 1, 2005, to June 30, 2006, \$14,000,000.
- 22 8. July 1, 2006, to June 30, 2007, \$16,000,000.
- 23 9. July 1, 2007, to June 30, 2008, \$18,000,000.
- 24 10. July 1, 2008, to June 30, 2009, \$20,000,000.

25 **SECTION 641p.** 20.866 (2) (zh) (title) of the statutes is amended to read:

1 20.866 (2) (zh) (title) *Public instruction; state schools school, state center and*
2 *library facilities.*

3 **SECTION 641r.** 20.866 (2) (zj) of the statutes is amended to read:

4 20.866 (2) (zj) *Military affairs; armories and military facilities.* From the
5 capital improvement fund, a sum sufficient for the department of military affairs to
6 acquire, construct, develop, enlarge, or improve armories and other military
7 facilities. The state may contract public debt in an amount not to exceed \$19,590,200
8 \$20,417,300 for this purpose.

9 **SECTION 642.** 20.866 (2) (zn) of the statutes is amended to read:

10 20.866 (2) (zn) *Veterans affairs; self-amortizing mortgage loans.* From the
11 capital improvement fund, a sum sufficient for the department of veterans affairs for
12 loans to veterans under s. 45.79 (6) (a). The state may contract public debt in an
13 amount not to exceed \$1,807,500,000 \$2,020,500,000 for this purpose.

14 **SECTION 642e.** 20.866 (2) (zp) of the statutes is amended to read:

15 20.866 (2) (zp) *Veterans affairs; self-amortizing housing facilities.* From the
16 capital improvement fund, a sum sufficient for the department of veterans affairs to
17 acquire, construct, develop, enlarge or improve housing facilities at state veterans
18 homes. The state may contract public debt in an amount not to exceed \$2,031,900
19 \$15,941,000 for this purpose.

20 **SECTION 642m.** 20.866 (2) (zx) of the statutes is amended to read:

21 20.866 (2) (zx) *State fair park board; board facilities.* From the capital
22 improvement fund, a sum sufficient for the state fair park board to acquire,
23 construct, develop, enlarge or improve state fair park board facilities. The state may
24 contract public debt in an amount not to exceed \$2,000,000 \$3,887,100 for this
25 purpose.

1 **SECTION 642r.** 20.866 (2) (zz) of the statutes is amended to read:

2 20.866 **(2)** (zz) *State fair park board; self-amortizing facilities.* From the
3 capital improvement fund, a sum sufficient to the state fair park board to acquire,
4 construct, develop, enlarge or improve facilities at the state fair park in West Allis.
5 The state may contract public debt not to exceed ~~\$27,850,000~~ \$44,787,100 for this
6 purpose.

7 **SECTION 642t.** 20.867 (2) (ka) of the statutes is repealed.

8 **SECTION 642x.** 20.867 (3) (bp) of the statutes is created to read:

9 20.867 **(3)** (bp) *Principal repayment, interest and rebates.* A sum sufficient to
10 reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred
11 in financing the construction of a Swiss cultural center in the village of New Glarus,
12 and to make the payments determined by the building commission under s. 13.488
13 (1) (m) that are attributable to the proceeds of obligations incurred in financing the
14 construction of a Swiss cultural center in the village of New Glarus.

15 **SECTION 642y.** 20.867 (3) (br) of the statutes is created to read:

16 20.867 **(3)** (br) *Principal repayment, interest and rebates.* A sum sufficient to
17 reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred
18 in financing the construction of the youth activities center specified in s. 13.48 (34),
19 and to make the payments determined by the building commission under s. 13.488
20 (1) (m) that are attributable to the proceeds of obligations incurred in financing the
21 construction of that youth activities center.

22 **SECTION 643.** 20.867 (3) (h) of the statutes is amended to read:

23 20.867 **(3)** (h) *Principal repayment, interest and rebates.* A sum sufficient to
24 guarantee full payment of principal and interest costs for self-amortizing or
25 partially self-amortizing facilities enumerated under ss. 20.190 (1) (j), 20.245 (2) (j),

1 20.285 (1) ~~(kd) and (ih)~~, (kd) and (km), 20.370 (7) (eq) and 20.485 (1) (go) if moneys
2 available in those appropriations are insufficient to make full payment, and to make
3 full payment of the amounts determined by the building commission under s. 13.488
4 (1) (m) if the appropriation under s. 20.190 (1) (j), 20.245 (2) (j), 20.285 (1) ~~(kd) or (ih)~~,
5 (kd) or (km) or 20.485 (1) (go) is insufficient to make full payment of those amounts.
6 All amounts advanced under the authority of this paragraph shall be repaid to the
7 general fund whenever the balance of the appropriation for which the advance was
8 made is sufficient to meet any portion of the amount advanced. The department of
9 administration may take whatever action is deemed necessary including the making
10 of transfers from program revenue appropriations and corresponding appropriations
11 from program receipts in segregated funds and including actions to enforce
12 contractual obligations that will result in additional program revenue for the state,
13 to ensure recovery of the amounts advanced.

14 **SECTION 643m.** 20.870 of the statutes is repealed.

15 **SECTION 643p.** 20.907 (1c) of the statutes is created to read:

16 20.907 **(1c)** RECEIPT OF CERTAIN MONEYS. No state agency may encumber or
17 expend any moneys, other than moneys received as forfeitures imposed under state
18 law, received from any person pursuant to an agreement to settle a civil claim or
19 pursuant to a judgment in a civil action until the joint committee on finance has
20 approved a plan for the expenditure of the moneys.

21 **SECTION 643s.** 20.907 (1m) of the statutes is amended to read:

22 20.907 **(1m)** REPORTING. State agencies shall, by December 1 annually, submit
23 a report to the joint committee on finance and the department of administration on
24 expenditures made by the agency during the preceding fiscal year from nonfederal
25 funds received as gifts, grants, bequests or devises and from moneys, other than

1 moneys received as forfeitures imposed under state law, received from any person
2 pursuant to an agreement to settle a civil claim or pursuant to a judgment in a civil
3 action. The department of administration shall prescribe a form, which the
4 department may modify as appropriate for the various state agencies, that each state
5 agency must use to report its expenditures as required under this subsection. The
6 form shall require the expenditures to be reported in aggregate amounts as
7 determined by the department of administration. The report shall also include a
8 listing of in-kind contributions, including goods and services, received and used by
9 the state agency during the preceding fiscal year.

10 **SECTION 644e.** 20.912 (2) of the statutes is amended to read:

11 20.912 (2) ~~RESERVE FOR PAYMENT OF CANCELED DRAFTS. All amounts credited~~
12 ~~pursuant to sub. (1) shall be credited by the department of administration to a~~
13 ~~continuing reserve for checks, share drafts and other drafts canceled of the fund~~
14 ~~concerned, to be used for the payment of demands under sub. (3). Any check, share~~
15 ~~draft or other draft canceled on which demand for payment has not been presented~~
16 ~~within 6 years from date of issue shall be reverted from the reserve for canceled~~
17 ~~checks, share drafts and other drafts to the general revenues of the fund concerned~~
18 ~~by the department of administration not be paid under sub. (3).~~

19 **SECTION 644p.** 20.912 (3) of the statutes is amended to read:

20 20.912 (3) REISSUE OF CANCELED CHECKS, SHARE DRAFTS AND OTHER DRAFTS. ~~When~~
21 Subject to sub. (2), when the payee or person entitled to any check, share draft or
22 other draft canceled under sub. (1) by the state treasurer, or the payee or person
23 entitled to any warrant so canceled by the department of administration, demands
24 such check, share draft, other draft or warrant or payment thereof, the department
25 of administration shall issue a new warrant therefor, ~~to be paid out of the proper fund~~

1 ~~by the state treasurer from the appropriate appropriation account under s. 20.855~~
2 ~~(1) (bm), (gm) or (rm).~~

3 **SECTION 645a.** 20.912 (4) of the statutes is amended to read:

4 20.912 (4) INSOLVENT DEPOSITORIES. When the bank, savings and loan
5 association, savings bank or credit union on which any check, share draft or other
6 draft is drawn by the state treasurer before payment of such check, share draft or
7 other draft becomes insolvent or is taken over by the division of banking, division of
8 savings and loan institutions, the federal home loan bank board, the U.S. office of
9 thrift supervision, the federal deposit insurance corporation, the resolution trust
10 corporation, the office of credit unions, the administrator of federal credit unions or
11 the U.S. comptroller of the currency, the state treasurer shall on the demand of the
12 person in whose favor such check, share draft or other draft was drawn and upon the
13 return to the treasurer of such check, share draft or other draft issue a replacement
14 for the same amount.

15 **SECTION 645L.** 20.921 (2) (a) of the statutes is amended to read:

16 20.921 (2) (a) Whenever it becomes necessary in pursuance of any federal or
17 state law or court-ordered assignment of income under s. 46.10 (14) (e), 301.12 (14)
18 (e), 767.23 (1) (L), 767.25 (4m) (c), or 767.265, 767.51 (3m) (c) or 767.62 (4) (b) 3. to
19 make deductions from the salaries of state officers or employes or employes of the
20 University of Wisconsin Hospitals and Clinics Authority, the state agency or
21 authority by which the officers or employes are employed is responsible for making
22 such deductions and paying over the total thereof for the purposes provided by the
23 laws or orders under which they were made.

24 **SECTION 645t.** 20.923 (4) (a) 4q. of the statutes is repealed.

25 **SECTION 646.** 20.923 (4) (c) 5. of the statutes is created to read:

1 20.923 **(4)** (c) 5. Governor’s work-based learning board: executive director.

2 **SECTION 648r.** 20.923 (6) (hq) of the statutes is created to read:

3 20.923 **(6)** (hq) State fair park board: staff employes.

4 **SECTION 649.** 20.923 (17) of the statutes is repealed.

5 **SECTION 649m.** 20.924 (1) (im) of the statutes is created to read:

6 20.924 **(1)** (im) Shall not enter into any lease or other contract that provides
7 for the construction of any building, structure or facility, or portion thereof, for initial
8 occupancy by the state and that contains an option for the state to purchase the
9 building, structure or facility unless the construction and purchase of the building,
10 structure or facility is enumerated in the authorized state building program prior to
11 entering into the lease or other contract.

12 **SECTION 649n.** 20.924 (1) (j) of the statutes is created to read:

13 20.924 **(1)** (j) Shall not enter into any lease or other contract that provides for
14 the construction of any building, structure or facility, or portion thereof, for initial
15 occupancy by the state and that contains an option for the state to purchase the
16 building, structure or facility unless the seller or lessor agrees to all of the following
17 requirements:

18 1. Bids or competitive sealed proposals will be submitted to the seller or lessor
19 in accordance with the procedure for soliciting and submitting bids or competitive
20 sealed proposals to the department of administration for contracts entered into by
21 the state.

22 2. The contractor or contractors who construct the building, structure or
23 facility, or portion thereof, will ensure that at least 5% of the total amount expended
24 for construction of the building, structure or facility, or portion thereof, is awarded
25 to contractors or subcontractors who are minority businesses, as defined in s. 16.75

1 (3m) (a), and that the department of administration is empowered to enforce this
2 requirement.

3 3. The seller or lessor will do all of the following:

4 a. Not permit any employe working on the building, structure or facility, or
5 portion thereof, who would be entitled to receive the prevailing wage rate under s.
6 103.49 and who would not be required or permitted to work more than the prevailing
7 hours of labor, if the building, structure or facility, or portion thereof, were a project
8 of public works subject to s. 103.49, to be paid less than the prevailing wage rate or
9 to be required or permitted to work more than the prevailing hours of labor, except
10 as permitted under s. 103.49 (2).

11 b. Require any contractor, subcontractor or agent thereof performing work on
12 the building, structure or facility, or portion thereof, to keep and permit inspection
13 of records in the same manner as a contractor, subcontractor or agent thereof
14 performing work on a project of public works that is subject to s. 103.49 is required
15 to keep and permit inspection of records under s. 103.49 (5).

16 c. Otherwise comply with s. 103.49 in the same manner as a state agency
17 contracting for the erection, construction, remodeling, repairing or demolition of a
18 project of public works is required to comply with s. 103.49 and require any
19 contractor, subcontractor or agent thereof performing work on the building,
20 structure or facility, or portion thereof, to comply with s. 103.49 in the same manner
21 as a contractor, subcontractor or agent thereof performing work on a project of public
22 works that is subject to s. 103.49 is required to comply with s. 103.49.

23 **SECTION 649p.** 20.924 (2) of the statutes is repealed.

24 **SECTION 650.** 20.927 (1) of the statutes is amended to read:

1 20.927 (1) Except as provided under subs. (2) and (3), no funds of this state or
2 of any county, city, village or town or family care district under s. 46.2895 or of any
3 subdivision or agency of this state or of any county, city, village or town and no federal
4 funds passing through the state treasury shall be authorized for or paid to a
5 physician or surgeon or a hospital, clinic or other medical facility for the performance
6 of an abortion.

7 **SECTION 651.** 20.9275 (1) (b) of the statutes is amended to read:

8 20.9275 (1) (b) “Local governmental unit” means a city, village, town or county
9 or family care district under s. 46.2895 or an agency or subdivision of a city, village,
10 town or county.

11 **SECTION 652.** 20.9275 (2) (intro.) of the statutes is amended to read:

12 20.9275 (2) (intro.) No state agency or local governmental unit may authorize
13 payment of funds of this state, of any local governmental unit or, subject to sub. (3m),
14 of federal funds passing through the state treasury as a grant, subsidy or other
15 funding that wholly or partially or directly or indirectly involves pregnancy
16 programs, projects or services, that is a grant, subsidy or other funding under s.
17 46.93, 46.99, 46.995, ~~46.997~~, 253.05, 253.07, 253.08 or 253.085 or 42 USC 701 to 710,
18 if any of the following applies:

19 **SECTION 652m.** 20.928 (1m) of the statutes is created to read:

20 20.928 (1m) Notwithstanding sub. (1), the board of regents of the University
21 of Wisconsin System may not include in any certification to the department of
22 administration under sub. (1) any sum to pay the costs resulting from employer
23 contributions for the payment of health insurance premiums for any teacher
24 described under s. 40.02 (25) (b) 1m., for coverage before the first day of the 7th month
25 beginning after the teacher begins employment with the state.

1 **SECTION 653.** 20.930 of the statutes is amended to read:

2 **20.930 Attorney fees.** ~~No~~ Except as provided in ss. 46.27 (7g) (h), 49.496 (3)
3 (f) and 49.682 (6), no state agency in the executive branch may employ any attorney
4 until such employment has been approved by the governor.

5 **SECTION 655.** 21.25 (1) of the statutes is amended to read:

6 21.25 **(1)** The department of military affairs shall administer the Badger
7 Challenge program for disadvantaged youth. The department shall recruit 10% of
8 the 1999–2000 class of the program from families who are eligible to receive
9 temporary assistance for needy families under 42 USC 601 et seq. The department
10 shall recruit 25% of the 2000–01 class of the program from families who are eligible
11 to receive temporary assistance for needy families under 42 USC 601 et seq. The
12 department of military affairs shall promulgate rules for administering the Badger
13 Challenge program.

14 **SECTION 656.** 21.49 (2) (e) of the statutes is amended to read:

15 21.49 **(2)** (e) Delinquent in child support or maintenance payments and who
16 does not owe past support, medical expenses or birth expenses, as established by the
17 receipt by the department of a certification under s. 49.855 (7) appearance of the
18 guard member's name on the statewide support lien docket under s. 49.854 (2) (b),
19 unless the guard member provides to the department a payment agreement that has
20 been approved by the county child support agency under s. 59.53 (5) and that is
21 consistent with rules promulgated under s. 49.858 (2) (a).

22 **SECTION 658m.** 23.09 (2) (d) 6. of the statutes is amended to read:

23 23.09 **(2)** (d) 6. For preservation of any endangered species ~~defined in or~~
24 threatened species under s. 29.604 (2).

25 **SECTION 659m.** 23.09 (2) (d) 14. of the statutes is amended to read:

1 23.09 (2) (d) 14. For habitat areas and fisheries.

2 **SECTION 659p.** 23.09 (2) (d) 16. of the statutes is created to read:

3 23.09 (2) (d) 16. For bluff protection under s. 30.24.

4 **SECTION 659t.** 23.09 (2dm) (b) of the statutes is amended to read:

5 23.09 (2dm) (b) The department shall allocate at least \$1,720,000 of the
6 moneys appropriated under s. 20.866 (2) (tz) in each fiscal year for the acquisition
7 of lands within the boundaries of projects established after January 1, 1988. This
8 paragraph does not apply after June 30, 2000.

9 **SECTION 661b.** 23.09 (2p) (b) of the statutes is amended to read:

10 23.09 (2p) (b) ~~Beginning July 1, 1990, and except~~ Except as provided in par.
11 (c), an amount of money equal to the value of the donation under par. (a) shall be
12 released from the appropriation under s. 20.866 (2) (ta) or (tz) or both to be used for
13 land acquisition activities for the same project for which any donation was made on
14 or after August 9, 1989. The department shall determine how the moneys being
15 released are to be allocated from these appropriations. This paragraph does not
16 apply to transfers of land from agencies other than the department.

17 **SECTION 661c.** 23.09 (2p) (c) of the statutes is renumbered 23.09 (2p) (c) 1. and
18 amended to read:

19 23.09 (2p) (c) 1. If the moneys ~~to be released~~ allocated under par. (b) for release
20 from the appropriation under s. 20.866 (2) (tz) to match a donation under par. (b) will
21 exceed the expenditure limit under sub. (2r) for a given fiscal year, as adjusted under
22 s. 23.0915 (2), the department shall release from the moneys appropriated under s.
23 20.866 (2) (tz) the remaining amount available under the expenditure limit under
24 sub. (2r), as adjusted under s. 23.0915 (2) and after deducting the allocation under
25 sub. (2dm) (b), for the given fiscal year and shall release in each following fiscal year

1 from the moneys appropriated under s. 20.866 (2) (tz) an amount equal to the
2 expenditure limit under sub. (2r), as adjusted under s. 23.0915 (2) and after
3 deducting the allocation under sub. (2dm) (b), or equal to the amount still needed to
4 match the donation, whichever is less, until the entire amount necessary to match
5 the donation is released. This subdivision does not apply after June 30, 2000.

6 **SECTION 661d.** 23.09 (2p) (c) 2. of the statutes is created to read:

7 23.09 (2p) (c) 2. If the moneys allocated under par. (b) for release from the
8 appropriation under s. 20.866 (2) (ta) to match a donation under par. (b) will exceed
9 the annual bonding authority for the subprogram under s. 23.0917 (3) for a given
10 fiscal year, as adjusted under s. 23.0917 (5), the department shall release from the
11 moneys appropriated under s. 20.866 (2) (ta) the remaining amount available under
12 that annual bonding authority, as adjusted under s. 23.0917 (5), for the given fiscal
13 year and shall release in each following fiscal year from the moneys appropriated
14 under s. 20.866 (2) (ta) an amount equal to that annual bonding authority, as
15 adjusted under s. 23.0917 (5), or equal to the amount still needed to match the
16 donation, whichever is less, until the entire amount necessary to match the donation
17 is released.

18 **SECTION 661e.** 23.09 (19) (a) 2. of the statutes is amended to read:

19 23.09 (19) (a) 2. “~~Local governmental~~ Governmental unit” means a city, village,
20 town, county, lake sanitary district, as defined in s. 30.50 (4q), or public inland lake
21 protection and rehabilitation district or the Kickapoo reserve management board.

22 **SECTION 661f.** 23.09 (19) (a) 3. of the statutes is created to read:

23 23.09 (19) (a) 3. “Nature-based outdoor recreation” has the meaning given by
24 the department by rule under s. 23.0917 (4) (f).

25 **SECTION 661g.** 23.09 (19) (b) of the statutes is amended to read:

1 23.09 (19) (b) Any local governmental unit may apply for state aid for the
2 acquisition of lands and rights in lands for urban green space. Each application shall
3 include a comprehensive description of the proposal for urban green space
4 acquisition, plans for development and management of the land and any other
5 information required by the department.

6 **SECTION 661h.** 23.09 (19) (c) (intro.) of the statutes is amended to read:

7 23.09 (19) (c) (intro.) The department may approve award grants from the
8 appropriation under s. 20.866 (2) (tz) for the acquisition of land or rights in land for
9 urban green space under this subsection for the following purposes:

10 **SECTION 661i.** 23.09 (19) (cg) of the statutes is created to read:

11 23.09 (19) (cg) The department may award grants from the appropriation
12 under s. 20.866 (2) (ta) for the acquisition of land or rights in land for urban green
13 space under this subsection only for the purposes of nature-based outdoor
14 recreation.

15 **SECTION 661j.** 23.09 (19) (d) of the statutes is amended to read:

16 23.09 (19) (d) Grants under this subsection shall be for up to 50% of the cost
17 of acquiring acquisition costs of the land or the rights in land for the urban green
18 space. The local governmental unit is responsible for the remainder of the
19 acquisition cost costs.

20 **SECTION 661k.** 23.09 (19) (e) of the statutes is amended to read:

21 23.09 (19) (e) As part of its approval of a grant, the department shall specify
22 for which of the purposes listed in par. (c) the local governmental unit may use the
23 land or the rights in the land acquired with the grant. The local governmental unit
24 may not convert the land or the rights in the land acquired under this subsection to
25 a use that is inconsistent with the uses as approved by the department.

1 **SECTION 661L.** 23.09 (19) (f) of the statutes is renumbered 23.09 (19) (f) 1. and
2 amended to read:

3 23.09 (19) (f) 1. Title Except as provided in subd. 2., title to land or to rights in
4 land acquired under this subsection shall vest in the local governmental unit.

5 **SECTION 661m.** 23.09 (19) (f) 2. of the statutes is created to read:

6 23.09 (19) (f) 2. Land or rights in land acquired under this subsection by the
7 Kickapoo reserve management board shall vest in the state.

8 **SECTION 661n.** 23.09 (19) (h) of the statutes is amended to read:

9 23.09 (19) (h) The department may not approve a grant under this subsection
10 unless the urban green space is identified in any master plan that the local
11 governmental unit may have.

12 **SECTION 661o.** 23.09 (19) (j) of the statutes is amended to read:

13 23.09 (19) (j) Any local governmental unit that acquires an area for gardening
14 with a grant under this subsection may charge fees for use of the garden that are
15 sufficient to recover the costs of maintaining the area. The local governmental unit
16 may reduce or waive any fee charged based on the user's inability to pay.

17 **SECTION 661p.** 23.09 (19) (k) of the statutes is amended to read:

18 23.09 (19) (k) Except as provided in s. 23.0915 (2), the department may not
19 expend from the appropriation under s. 20.866 (2) (tz) more than \$750,000 in each
20 fiscal year for urban green space under this subsection and for grants for urban green
21 space under s. 23.096.

22 **SECTION 661q.** 23.09 (19) (L) of the statutes is created to read:

23 23.09 (19) (L) The department may not award a grant from the appropriation
24 under s. 20.866 (2) (tz) to the Kickapoo reserve management board.

1 **SECTION 661u.** 23.09 (20) (a) of the statutes is renumbered 23.09 (20) (am) and
2 amended to read:

3 23.09 **(20)** (am) Any ~~city, village, town or county~~ governmental unit may apply
4 for state aids for the acquisition and development of recreational lands and rights in
5 lands. State aids under this subsection that are expended from the appropriation
6 under s. 20.866 (2) (ta) may only be used for nature-based outdoor recreation. State
7 aids received by a municipality shall be used for the development of its park system
8 in accordance with priorities based on comprehensive plans submitted with the
9 application and consistent with the outdoor recreation program under s. 23.30. ~~The~~
10 An application under this subsection shall be made in the manner the department
11 prescribes.

12 **SECTION 661v.** 23.09 (20) (ab) of the statutes is created to read:

13 23.09 **(20)** (ab) In this subsection:

- 14 1. “Governmental unit” means a municipality or the Kickapoo reserve
15 management board.
- 16 2. “Municipality” means a city, village, town or county.
- 17 3. “Nature-based outdoor recreation” has the meaning given by the
18 department by rule under s. 23.0917 (4) (f).

19 **SECTION 661w.** 23.09 (20) (b) of the statutes is amended to read:

20 23.09 **(20)** (b) State aid under this subsection is limited to no more than 50%
21 of the ~~cost of acquiring~~ acquisition costs and ~~developing~~ the development costs of
22 recreation lands and other outdoor recreation facilities. Costs associated with
23 operation and maintenance of parks and other outdoor recreational facilities
24 established under this subsection are not eligible for state aid. Administrative costs
25 of acquiring lands or land rights are not included in the “~~cost of land~~” acquisition

1 costs eligible for state aid under this subsection. Title to lands or rights in lands
2 acquired by a municipality under this subsection shall vest in the ~~local unit of~~
3 ~~government~~ municipality, but such land shall not be converted to uses inconsistent
4 with this subsection without prior approval of the state and proceeds from the sale
5 or other disposal of such lands shall be used to promote the objectives of this
6 subsection.

7 **SECTION 661x.** 23.09 (20) (d) of the statutes is amended to read:

8 23.09 (20) (d) Except as provided in s. 23.0915 (2), the department may not
9 expend from the appropriation under s. 20.866 (2) (tz) more than \$2,250,000 each
10 fiscal year for local park aids under this subsection and for grants for this purpose
11 under s. 23.096.

12 **SECTION 661y.** 23.09 (20) (e) of the statutes is created to read:

13 23.09 (20) (e) The department may not award state aid under this subsection
14 from the appropriation under s. 20.866 (2) (tz) to the Kickapoo reserve management
15 board.

16 **SECTION 661z.** 23.09 (20m) of the statutes is created to read:

17 23.09 (20m) GRANTS FOR ACQUISITION OF DEVELOPMENT RIGHTS. (a) In this
18 subsection:

19 1. “Governmental unit” means a city, village, town, county or the Kickapoo
20 reserve management board.

21 2. “Nature-based outdoor recreation” has the meaning given by the
22 department by rule under s. 23.0917 (4) (f).

23 3. “Nonprofit conservation organization” has the meaning given in s. 23.0955
24 (1).

1 (b) The department shall establish a program to award grants from the
2 appropriation under s. 20.866 (2) (ta) to governmental units and nonprofit
3 conservation organizations to acquire development rights in land for nature-based
4 outdoor recreation. The grants shall be limited to no more than 50% of the
5 acquisition costs of the development rights.

6 **SECTION 662p.** 23.09 (22) of the statutes is created to read:

7 **23.09 (22) INFORMATION TO BE INCLUDED IN GEOGRAPHIC INFORMATION SYSTEMS.**
8 The department shall include physical and chemical information about groundwater
9 and soil in its geographic information systems.

10 **SECTION 663b.** 23.0915 (1) (intro.) of the statutes is amended to read:

11 **23.0915 (1) DESIGNATED AMOUNTS.** (intro.) The legislature intends that the
12 department will expend the following designated amounts under the Warren
13 Knowles-Gaylord Nelson stewardship program from the appropriation under s.
14 20.866 (2) (tz) for the following purposes in each fiscal year, the expenditures
15 beginning with fiscal year 1990–91 and ending in fiscal year 1999–2000, except as
16 provided in pars. ~~(L), (Lg), (Lr), (m) and (n)~~ sub. (2c):

17 **SECTION 663c.** 23.0915 (1) (L) of the statutes is repealed.

18 **SECTION 663d.** 23.0915 (1) (Lg) of the statutes is amended to read:

19 **23.0915 (1) (Lg) Henry Hank Aaron State Park Trail**, a total of ~~\$290,000, to be~~
20 ~~expended beginning in fiscal year 1997–98 and ending in fiscal year 1999–2000~~
21 \$1,360,000.

22 **SECTION 663e.** 23.0915 (1) (Lr) of the statutes is amended to read:

23 **23.0915 (1) (Lr) Flambeau Mine Trail**, a total of \$100,000, to be expended
24 beginning in fiscal year 1997–98 ~~and ending in fiscal year 1999–2000.~~

25 **SECTION 663f.** 23.0915 (1) (m) of the statutes is amended to read:

1 23.0915 (1) (m) ~~Horicon marsh~~ Marsh interpretative center, a total of \$250,000,
2 to be expended beginning in fiscal year 1991–92 and ending in fiscal year 1999–2000.

3 **SECTION 663g.** 23.0915 (1) (n) of the statutes is amended to read:

4 23.0915 (1) (n) Crex Meadows Wildlife Area education center, a total of
5 \$250,000, to be expended beginning in fiscal year 1997–98 and ending in fiscal year
6 1999–2000.

7 **SECTION 663gm.** 23.0915 (1m) (b) of the statutes is repealed.

8 **SECTION 663h.** 23.0915 (2) (a) of the statutes is amended to read:

9 23.0915 (2) (a) Beginning with fiscal year 1990–91, if the department expends
10 in a given fiscal year an amount from the moneys appropriated under s. 20.866 (2)
11 (tz) for a purpose under sub. (1) (a) or (c) to (k) that is less than the amount designated
12 for that purpose for that given fiscal year under sub. (1) (a) or (c) to (k), the
13 department may adjust the expenditure limit under the Warren Knowles–Gaylord
14 Nelson stewardship program for that purpose by raising the expenditure limit, as it
15 may have been previously adjusted under this paragraph and par. (b), for the next
16 fiscal year by the amount that equals the difference between the amount designated
17 for that purpose and the amount expended for that purpose in that given fiscal year.

18 **SECTION 663i.** 23.0915 (2) (b) of the statutes is amended to read:

19 23.0915 (2) (b) Beginning with fiscal year 1990–91, if the department expends
20 in a given fiscal year an amount from the moneys appropriated under s. 20.866 (2)
21 (tz) for a purpose under sub. (1) (a) or (c) to (k) that is more than the amount
22 designated for that purpose for that given fiscal year under sub. (1) (a) or (c) to (k),
23 the department shall adjust the expenditure limit under the Warren
24 Knowles–Gaylord Nelson stewardship program for that purpose by lowering the
25 expenditure limit, as it may have been previously adjusted under this paragraph and

1 par. (a), for the next fiscal year by an amount equal to the remainder calculated by
2 subtracting the amount designated for that purpose from the amount expended, as
3 it may be affected under par. (c) or (d), for that purpose in that given fiscal year.

4 **SECTION 663j.** 23.0915 (2) (e) of the statutes is created to read:

5 23.0915 (2) (e) Paragraphs (a) to (d) do not apply after June 30, 2000.

6 **SECTION 663k.** 23.0915 (2c) of the statutes is created to read:

7 23.0915 (2c) EXPENDITURES AFTER JULY 1, 1999. (a) In this subsection:

8 1. “Commit for expenditure” means to encumber, set aside or otherwise commit
9 or to expend without having previously encumbered or otherwise committed.

10 2. “Moneys available for expenditure” means moneys that have not been
11 committed for expenditure.

12 (b) If the amount of moneys available for expenditure for a purpose under sub.
13 (1) (a) to (n) on July 1, 2000, is greater than zero, the department may expend for that
14 purpose any portion of or all of the moneys available for expenditure in one or more
15 subsequent fiscal years.

16 (c) If the amount of moneys available for expenditure for a purpose under sub.
17 (1) (a) to (k) is not sufficient for a given project or activity and if the project or activity
18 is uniquely valuable in conserving the natural resources of the state, the department
19 may expend for that project or activity moneys that are designated for any of the
20 purposes under sub. (1) (a) to (k) in one or more subsequent years.

21 **SECTION 663L.** 23.0915 (2j) (a) of the statutes is amended to read:

22 23.0915 (2j) (a) From the moneys appropriated under s. 20.866 (2) (tz), ~~before~~
23 ~~June 30, 2000,~~ the department shall expend \$100,000 for the Flambeau Mine Trail
24 and Rusk County visitor center.

25 **SECTION 663m.** 23.0915 (2m) (title) of the statutes is amended to read:

1 23.0915 (2m) (title) MONEYS FOR ~~HENRY~~ HANK AARON STATE PARK STATE TRAIL.

2 **SECTION 663n.** 23.0915 (2m) (a) of the statutes is amended to read:

3 23.0915 (2m) (a) From the moneys appropriated under s. 20.866 (2) (tz), the
4 department shall set aside ~~for the period of time specified in sub. (1) (L)~~ \$400,000 to
5 be used only for the development of a ~~state park to be located in the Menomonee~~
6 ~~valley in the city of Milwaukee and to be designated as the Henry~~ Hank Aaron State
7 Park Trail.

8 **SECTION 663o.** 23.0915 (2m) (b) of the statutes is repealed.

9 **SECTION 663p.** 23.0915 (2m) (c) of the statutes is renumbered 23.0915 (2m) (g)
10 and amended to read:

11 23.0915 (2m) (g) None of the moneys set aside under ~~par. (a)~~ this subsection
12 may be expended for stadium parking or for any other purpose not directly related
13 to the development of the ~~state park~~ Hank Aaron State Trail.

14 **SECTION 663q.** 23.0915 (2m) (e) of the statutes is amended to read:

15 23.0915 (2m) (e) From the moneys appropriated under s. 20.866 (2) (tz), the
16 department shall set aside ~~for the period of time specified in sub. (1) (Lg)~~ \$290,000
17 for the Henry Hank Aaron State Park Trail ~~in the Henry Aaron State Park~~.

18 **SECTION 663r.** 23.0915 (2m) (f) of the statutes is created to read:

19 23.0915 (2m) (f) From the moneys appropriated under s. 20.866 (2) (tz), the
20 department shall set aside \$670,000 for the Hank Aaron State Trail. For purposes
21 of sub. (1) moneys expended under this paragraph shall be treated as follows:

- 22 1. As moneys expended for urban rivers, \$400,000.
23 2. As moneys expended for stream bank protection, \$200,000.
24 3. As moneys expended for urban green space, \$70,000.

25 **SECTION 663rm.** 23.0915 (2p) of the statutes is created to read:

1 23.0915 **(2p)** UPPER WHITING PARK. From the appropriation under s. 20.866 (2)
2 (tz), the department shall provide to the village of Whiting \$38,000 in fiscal year
3 1999–2000 for the development of Upper Whiting Park. Notwithstanding s. 23.09
4 (20) (b), the 50% matching requirement under s. 23.09 (20) (b) does not apply to the
5 state aid provided under this subsection. For purposes of sub. (1), moneys provided
6 under this subsection shall be treated as moneys for local park aids.

7 **SECTION 663s.** 23.0915 (3) (a) of the statutes is amended to read:

8 23.0915 **(3)** (a) From the moneys appropriated under s. 20.866 (2) (tz), the
9 department shall set aside during fiscal year 1991–92 ~~for the period of time specified~~
10 ~~in sub. (1) (m)~~ \$250,000 for a project to develop a vacant building to be used as an
11 interpretative and administrative center for the Horicon marsh Marsh area.
12 Expenditures under this paragraph shall be made in a manner that, for every \$3
13 received by the department from private grants, gifts or bequests for the project, \$1
14 will be expended from the moneys under this paragraph.

15 **SECTION 663t.** 23.0915 (3m) (a) of the statutes is amended to read:

16 23.0915 **(3m)** (a) From the moneys appropriated under s. 20.866 (2) (tz), the
17 department shall set aside during fiscal year 1997–98 ~~for the period of time specified~~
18 ~~in sub. (1) (n)~~ \$250,000 for a project to construct and equip a wildlife education center
19 for Crex Meadows Wildlife Area. Expenditures under this paragraph shall be made
20 in a manner that, for every \$3 received by the department from private grants, gifts
21 or bequests for the project, \$1 will be expended from the moneys under this
22 paragraph.

23 **SECTION 663u.** 23.0917 of the statutes is created to read:

24 **23.0917 Warren Knowles–Gaylord Nelson stewardship 2000 program.**

25 **(1) DEFINITIONS.** In this section:

1 (a) “Annual bonding authority” means the amount that may be obligated under
2 a subprogram for a fiscal year.

3 (am) “Available bonding authority” means the annual bonding authority as it
4 may be adjusted under sub. (4g) (b), (4m) (k), (5) or (5m).

5 (b) “Baraboo Hills” means the area that is within the boundaries of Baraboo
6 Range National Natural Landmark.

7 (c) “Department land” means an area of land that is owned by the state, that
8 is under the jurisdiction of the department and that is used for one of the purposes
9 specified in s. 23.09 (2d).

10 (d) “Land” means land in fee simple, conservation easements, other easements
11 in land and development rights in land.

12 (dm) “Nonprofit conservation organization” has the meaning given in s.
13 23.0955 (1).

14 (e) “Obligate” means to encumber or otherwise commit or to expend without
15 having previously encumbered or otherwise committed.

16 (f) “Owner’s acquisition price” means the amount equal to the price the owner
17 paid for the land or if the owner acquired the land as a gift or devise, the amount equal
18 to the appraised value of the land at the time it was transferred to the owner.

19 (g) “Remaining bonding authority” means the amount of moneys that has not
20 been obligated.

21 (i) “Total bonding authority” means the total amount that may be obligated
22 under a subprogram under the Warren Knowles–Gaylord Nelson stewardship 2000
23 program over the entire duration of the program.

1 **(2) ESTABLISHMENT.** (a) The department shall establish the following
2 subprograms under the Warren Knowles–Gaylord Nelson stewardship 2000
3 program:

4 1. A subprogram for land acquisition for conservation and recreational
5 purposes.

6 2. A subprogram for property development and local assistance.

7 3. A subprogram for bluff protection.

8 4. A subprogram for land acquisition in the Baraboo Hills for conservation
9 purposes.

10 (b) Except as provided in sub. (5m), no moneys may be obligated from the
11 appropriation under s. 20.866 (2) (ta) before July 1, 2000.

12 **(3) LAND ACQUISITION SUBPROGRAM.** (a) Beginning with fiscal year 2000–01 and
13 ending with fiscal year 2009–10, the department may obligate moneys under the
14 subprogram for land acquisition to acquire land for the purposes specified in s. 23.09
15 (2) (d) and grants for these purposes under s. 23.096.

16 (b) In obligating moneys under the subprogram for land acquisition, the
17 department shall set aside in each fiscal year \$3,000,000 that may be obligated only
18 for state trails and the ice age trail and for grants for the state trails and the ice age
19 trails under s. 23.096. The period of time during which the moneys shall be set aside
20 in each fiscal year shall begin on the July 1 of the fiscal year and end on the June 30
21 of the same fiscal year.

22 (c) In obligating moneys under the subprogram for land acquisition, the
23 department shall give priority to all of the following purposes and to awarding grants
24 under s. 23.096 for all the following purposes:

1 1. Acquisition of land that preserves or enhances the state’s water resources,
2 including land in and for the Lower Wisconsin State Riverway; land abutting wild
3 rivers designated under s. 30.26, wild lakes and land along the shores of the Great
4 Lakes.

5 2. Acquisition of land for the stream bank protection program under s. 23.094.

6 3. Acquisition of land for habitat areas and fisheries under s. 23.092.

7 4. Acquisition of land for natural areas under ss. 23.27 and 23.29.

8 6. Acquisition of land in the middle Kettle Moraine.

9 (dm) Except as provided in subs. (4g) (b), (4m) (k), (5) and (5m), the department
10 may not obligate under the subprogram for land acquisition more than the following
11 amounts:

12 1. For fiscal year 2000–01, \$28,500,000.

13 2. For each fiscal year beginning with 2001–02 and ending with fiscal year
14 2009–10, \$34,500,000.

15 (e) For purposes of this subsection, the department by rule shall define “wild
16 lake”.

17 **(4) PROPERTY DEVELOPMENT AND LOCAL ASSISTANCE SUBPROGRAM.** (a) Beginning
18 with fiscal year 2000–01 and ending with fiscal year 2009–10, the department may
19 obligate moneys under the subprogram for property development and local
20 assistance. Moneys obligated under this subprogram may be only used for
21 nature–based outdoor recreation.

22 (b) The purposes for which moneys may be obligated for local assistance under
23 the subprogram for property development and local assistance are the following:

24 1. Grants for urban green space under ss. 23.09 (19) and 23.096.

25 2. Grants for local parks under ss. 23.09 (20) and 23.096.

1 3. Grants for acquisition of property development rights under ss. 23.09 (20m)
2 and 23.096.

3 4. Grants for urban rivers under ss. 23.096 and 30.277.

4 (c) The purposes for which moneys may be obligated for property development
5 under the subprogram for property development and local assistance are the
6 following:

7 1. Property development of department lands.

8 2. Property development on conservation easements adjacent to department
9 lands.

10 3. Grants under s. 23.098.

11 (d) In obligating moneys under the subprogram for property development and
12 local assistance, all of the following shall apply:

13 1. The department may obligate not more than \$11,500,000 in each fiscal year
14 under the subprogram except as provided in sub. (5).

15 2. The department may obligate not more than \$8,000,000 in each fiscal year
16 for local assistance.

17 3. The department shall obligate at least \$3,500,000 in each fiscal year for
18 property development.

19 (f) For purposes of this subsection, the department by rule shall define
20 “nature-based outdoor recreation”.

21 **(4g)** BLUFF PROTECTION. (a) The department may not obligate more than
22 \$1,000,000 under the subprogram for bluff protection.

23 (b) If the total amount obligated for the subprogram for bluff protection on
24 June 30, 2004, is less than \$1,000,000, the department shall calculate the
25 unobligated amount by subtracting the total obligated amount from \$1,000,000. The

1 department shall then adjust the available bonding authority for the subprogram for
2 land acquisition by increasing the available bonding authority in an amount equal
3 to the unobligated amount.

4 (c) The department may not obligate moneys for the subprogram for bluff
5 protection after June 30, 2004.

6 **(4m)** BARABOO HILLS. (a) *Definitions.* In this subsection:

7 1. “Assigned amount” means the sum of the amounts made available for
8 expenditure under par. (g) and the amounts set aside by the department under par.
9 (h) 1.

10 2. “Federal nontransportation moneys” means moneys received from the
11 federal government that are not deposited in the transportation fund and that are
12 not credited to the appropriations under ss. 20.115 (2) (m) and 20.445 (1) (ox).

13 3. “Local governmental unit” means a city, village, town, county, lake sanitary
14 district, as defined in s. 30.50 (4q), or a public inland lake protection and
15 rehabilitation district.

16 (b) *Matching funding.* The department shall provide funding under the
17 subprogram for the Baraboo Hills to match the value of land acquisitions that are
18 certified as qualifying matching land acquisitions under par. (e).

19 (c) *Overall requirements.* 1. The department may obligate not more than
20 \$5,000,000 under the subprogram for the Baraboo Hills.

21 2. The amount of moneys, other than federal moneys, that may be used by local
22 governmental units or nonprofit conservation organizations to make land
23 acquisitions that are certified as qualifying matching land acquisitions under par.
24 (e) may not exceed \$2,500,000.

1 3. Land that is either certified as a qualifying matching land acquisition under
2 par. (e) or (h) 2. or acquired with moneys made available for expenditure under par.
3 (g) or (h) 2. may not be department land or land that is otherwise owned or under the
4 jurisdiction of the state on the effective date of this subdivision [revisor inserts
5 date].

6 (d) *Matching land acquisitions; requirements.* The department may only
7 certify as a qualifying matching land acquisition in the Baraboo Hills an acquisition
8 to which all of the following apply:

9 1. The land is being acquired for conservation purposes.

10 2. The land is being acquired by the federal government, by a local
11 governmental unit or by a nonprofit conservation organization.

12 3. Any federal moneys being used for the acquisition are federal
13 nontransportation moneys.

14 (e) *Matching land acquisitions; certification.* The department shall certify
15 which land acquisitions qualify as matching land acquisitions for the subprogram for
16 the Baraboo Hills and shall determine the values of these matching land acquisitions
17 as provided in par. (f).

18 (f) *Matching land acquisitions; valuation.* The value of a land acquisition that
19 is certified as a qualifying matching land acquisition under par. (e), shall be
20 calculated as follows:

21 1. For land that is acquired by purchase at fair market value, the value shall
22 equal the sum of the purchase price and the costs incurred by the federal
23 government, local governmental unit or nonprofit conservation organization in
24 acquiring the land.

1 2. For land that is acquired by gift or bequest or by purchase at less than fair
2 market value, the value shall equal the sum of the appraised fair market value of the
3 land at the time of the acquisition and the costs incurred by the acquiring entity in
4 acquiring the land. The acquiring entity shall supply the appraisal upon which the
5 appraised fair market value is based.

6 (g) *Matching land acquisitions; available moneys.* For each land acquisition
7 that is certified as a qualifying matching land acquisition under par. (e), the
8 department shall make available for expenditure moneys in an amount that equals
9 the value of the land acquisition, as calculated under par. (f). This paragraph does
10 not apply to a land acquisition that is acquired with moneys committed by the federal
11 government, local governmental unit or nonprofit conservation organization under
12 par. (h).

13 (h) *Matching land acquisitions; future commitments.* 1. In addition to the
14 moneys made available for expenditure under par. (g), the department shall set aside
15 moneys in amounts that equal amounts that the federal government, local
16 governmental units or nonprofit conservation organizations commit for the
17 acquisition of land in the Baraboo Hills for conservation purposes. Federal moneys
18 that are committed under this paragraph shall be federal nontransportation
19 moneys. The department may set aside moneys under this paragraph only for
20 commitments that are made before January 1, 2006.

21 2. For each land acquisition that is made by using moneys that are committed
22 by the federal government, a local governmental unit or a nonprofit conservation
23 organization under this paragraph and that is certified as a qualifying matching
24 land acquisition under par. (e), the department shall make available for expenditure

1 moneys in an amount that equals the value of the land acquisition, as calculated
2 under par. (f), after the acquisition is certified.

3 (i) *Available moneys; uses.* The moneys made available for expenditure under
4 par. (g) or (h) 2. may be used by the department to acquire land in the Baraboo Hills
5 for conservation purposes and to award grants to local governmental units and
6 nonprofit conservation organizations.

7 (j) *Available moneys; grant requirements.* A local governmental unit or
8 nonprofit conservation organization that receives a grant under par. (i) does not need
9 to provide any matching funding. Land acquired with moneys from a grant awarded
10 under par. (i) may not be certified by the department as a qualifying matching land
11 acquisition under par. (e). Grants awarded under par. (i) shall be used to acquire land
12 for conservation purposes in the Baraboo Hills.

13 (k) *Unassigned amount.* If the assigned amount for the subprogram for the
14 Baraboo Hills on January 1, 2006, is less than the available bonding authority, the
15 department shall calculate the unassigned amount by subtracting the assigned
16 amount from the available bonding authority. The department shall then adjust the
17 annual bonding authority for the subprogram for land acquisition by increasing its
18 annual bonding authority by an amount equal to this unassigned amount. The
19 department shall expend any assigned amount that has not been expended before
20 January 1, 2006, for acquisitions, by the department, of land for conservation
21 purposes and for grants that meet the requirements under par. (j).

22 (L) *Highway construction required.* No moneys may be obligated for the
23 subprogram for the Baraboo Hills before the department of transportation certifies
24 to the department of natural resources that highway construction that will result in

1 at least 4 traffic lanes has begun on the portion of USH 12 between the city of
2 Middleton and the village of Sauk City.

3 (5) ADJUSTMENTS FOR SUBSEQUENT FISCAL YEARS. (a) If for a given fiscal year the
4 department obligates an amount from the moneys appropriated under s. 20.866 (2)
5 (ta) for a subprogram under sub. (3) or (4) that is less than the annual bonding
6 authority for that subprogram for that given fiscal year, the department shall adjust
7 the annual bonding authority for that subprogram by raising the annual bonding
8 authority, as it may have been previously adjusted under this paragraph and par. (b),
9 for the next fiscal year by the amount that equals the difference between the amount
10 authorized for that subprogram and the obligated amount for that subprogram in
11 that given fiscal year.

12 (b) If for a given fiscal year the department obligates an amount from the
13 moneys appropriated under s. 20.866 (2) (ta) for a subprogram under sub. (3) or (4)
14 that is more than the annual bonding authority for that subprogram for that given
15 fiscal year, the department shall adjust the annual bonding authority for that
16 subprogram by lowering the annual bonding authority, as it may have been
17 previously adjusted under this paragraph and par. (a), for the next fiscal year by an
18 amount equal to the remainder calculated by subtracting the amount authorized for
19 that subprogram from the obligated amount, as it may be affected under par. (c) or
20 (d), for that subprogram in that given fiscal year.

21 (c) The department may not obligate for a fiscal year an amount from the
22 moneys appropriated under s. 20.866 (2) (ta) for a subprogram under sub. (3) or (4)
23 that exceeds the amount equal to the annual bonding authority for that subprogram
24 as it may have been previously adjusted under pars. (a) and (b), except as provided
25 in par. (d).

1 (d) For a given fiscal year, in addition to obligating the amount of the annual
2 bonding authority for a subprogram under sub. (3) or (4), or the amount equal to the
3 annual bonding authority for that subprogram, as adjusted under pars. (a) and (b),
4 whichever amount is applicable, the department may also obligate for that
5 subprogram up to 100% of the annual bonding authority for that subprogram for that
6 given fiscal year for a project or activity if the natural resources board determines
7 that all of the following conditions apply:

8 1. That moneys appropriated for that subprogram to the department under s.
9 20.370 and the moneys appropriated for that subprogram under s. 20.866 (2) (ta), (tp)
10 to (tw), (ty) and (tz) do not provide sufficient funding for the project or activity.

11 2. That any land involved in the project or activity covers a large area or the
12 land is uniquely valuable in conserving the natural resources of the state.

13 3. That delaying or deferring all or part of the cost to a subsequent fiscal year
14 is not reasonably possible.

15 **(5m)** ADJUSTMENTS FOR LAND ACQUISITIONS. (a) Beginning in fiscal year
16 1999–2000, the department, subject to the approval of the governor and the joint
17 committee on finance under sub. (6), may obligate under the subprogram for land
18 acquisition any amount not in excess of the total bonding authority for that
19 subprogram for the acquisition of land.

20 (b) For each land acquisition transaction under this subsection, all of the
21 following apply:

22 1. The department shall sell a portion of the acquired land.

23 2. All proceeds from the sale of the land, up to the amount obligated under par.
24 (a) as determined by the secretary of administration, shall be deposited in the
25 general fund and credited to the appropriation account under s. 20.370 (7) (ag).

1 Notwithstanding s. 25.29 (1) (a), the proceeds in excess of the amount obligated
2 under par. (a) shall be deposited in the general fund.

3 3. For bonds that are retired from the proceeds of the sale of the acquired land
4 within 3 years after the date on which the land was acquired by the department, the
5 department shall adjust the available bonding authority for the subprogram for land
6 acquisition by increasing the available bonding authority for the fiscal year in which
7 the bonds are retired by an amount equal to the total amount of the bonds issued for
8 the sale that have been retired in that fiscal year.

9 4. For bonds that are not retired from the proceeds of the sale of the acquired
10 land within 3 years after the date on which the land was acquired by the department,
11 the department shall adjust the available bonding authority for the subprogram for
12 land acquisition by decreasing the available bonding authority for the next fiscal
13 year beginning after the end of that 3–year period by an amount equal to the total
14 amount of the bonds that have not been retired from such proceeds in that fiscal year
15 and, if necessary, shall decrease for each subsequent fiscal year the available bonding
16 authority in an amount equal to that available bonding authority or equal to the
17 amount still needed to equal the total amount of the bonds that have not been retired
18 from such proceeds, whichever is less, until the available bonding authority has been
19 decreased by an amount equal to the total of the bonds that have not been retired.

20 (c) Notwithstanding sub. (2) (a) 1., land acquired under this subsection need
21 not be for conservation or recreational purposes.

22 (d) The department of administration shall monitor all transactions under this
23 subsection to ensure compliance with federal law and to ensure that interest on the
24 bonds is tax–exempt for the holders of the bonds.

1 **(6) REVIEW BY JOINT COMMITTEE ON FINANCE.** (a) The department may not
2 obligate from the appropriation under s. 20.866 (2) (ta) for a given project or activity
3 any moneys unless it first notifies the joint committee on finance in writing of the
4 proposal. If the cochairpersons of the committee do not notify the department within
5 14 working days after the date of the department’s notification that the committee
6 has scheduled a meeting to review the proposal, the department may obligate the
7 moneys. If, within 14 working days after the date of the notification by the
8 department, the cochairpersons of the committee notify the department that the
9 committee has scheduled a meeting to review the proposal, the department may
10 obligate the moneys only upon approval of the committee.

11 (b) Paragraph (a) applies only to an amount for a project or activity that exceeds
12 \$250,000, except as provided in par. (c).

13 (c) Paragraph (a) applies to any land acquisition under sub. (5m).

14 **(7) CALCULATION OF GRANT AMOUNTS; APPRAISALS.** (a) Except as provided in pars.
15 (b) and (c), for purposes of calculating the acquisition costs for acquisition of land
16 under ss. 23.09 (19), (20) and (20m), 23.092 (4), 23.094 (3g), 23.096, 30.24 (4) and
17 30.277 from the appropriation under s. 20.866 (2) (ta), the acquisition costs shall
18 equal the sum of the land’s current fair market value and other acquisition costs, as
19 determined by rule by the department.

20 (b) For land that has been owned by the current owner for less than one year,
21 the acquisition costs of the land shall equal the owner’s acquisition price.

22 (c) For land that has been owned by the current owner for one year or more but
23 for less than 3 years, the acquisition costs of the land shall equal the sum of the
24 current owner’s acquisition price and the annual adjustment increase.

1 (d) For purposes of par. (c), the annual adjustment increase shall be calculated
2 by multiplying the owner's acquisition price by 7.5% and by then multiplying that
3 product by one of the following numbers:

4 1. By one if the land has been owned by the current owner for one year or more
5 but for less than 2 years.

6 2. By 2 if the land has been owned by the current owner for 2 years or more but
7 for less than 3 years.

8 (e) For any land for which moneys are proposed to be obligated from the
9 appropriation under s. 20.866 (2) (ta) in order to provide a grant or state aid to a
10 governmental unit under s. 23.09 (19), (20) or (20m) or 30.277 or to a nonprofit
11 conservation organization under s. 23.096, the governmental unit or nonprofit
12 conservation organization shall submit to the department two appraisals if the
13 department estimates that the fair market value of the land exceeds \$200,000.

14 **(8) PROHIBITIONS AND LIMITATIONS.** (a) The department may not obligate moneys
15 from the appropriation under s. 20.866 (2) (ta) for the acquisition of land for golf
16 courses or for the development of golf courses.

17 (c) The department may not obligate moneys from the appropriation under s.
18 20.866 (2) (ta) for the acquisition by a city, village or town of land that is outside the
19 boundaries of the city, village or town unless the city, village or town acquiring the
20 land and the city, village or town in which the land is located approve the acquisition.

21 (d) The department may not acquire land using moneys from the appropriation
22 under s. 20.866 (2) (ta) without the prior approval of a majority of the members–elect,
23 as defined in s. 59.001 (2m), of the county board of supervisors of the county in which
24 the land is located if at least 66% of the land in the county is owned or under the
25 jurisdiction of the state, the federal government or a local governmental unit, as

1 defined in s. 66.299 (1) (a). Before determining whether to approve the acquisition,
2 the county in which the land is located shall post notices that inform the residents
3 of the community surrounding the land of the possible acquisitions.

4 **(9) RULES ON LAND USE.** The department shall promulgate rules to provide
5 incentives under the Warren Knowles–Gaylord Nelson stewardship 2000 program
6 to local units of government that submit applications for funding from the
7 appropriation under s. 20.866 (2) (ta) for projects or activities that are consistent
8 with local or regional land use plans and with local zoning ordinances.

9 **(10) REPORT ON LAND PRICES.** Before January 1, 2005, the department shall
10 submit a report to the joint committee on finance and the governor that includes all
11 of the following:

12 (a) Information on how changes in the prices for land, between July 1, 2000,
13 and the date that the report is submitted, have affected the department's ability to
14 protect land for conservation purposes.

15 (b) A range of options to maintain or restore the financial ability to purchase
16 land under the Warren Knowles–Gaylord Nelson stewardship 2000 program.

17 **(11) REQUIREMENTS FOR SIGNS.** For any land which is acquired in whole or in part
18 with moneys obligated from the appropriations under s. 20.866 (2) (ta) or (tz) or both,
19 the department shall provide signs on the land stating that the land has been
20 acquired with stewardship funds. The signs shall be clearly visible to the public at
21 access points to the land or along highways or other transportation routes that
22 provide access to the land. If the land is open to the public, the sign shall so state and
23 shall state the purposes for which the land may be used by the public.

24 **(12) EXPENDITURES AFTER JUNE 30, 2010.** If the remaining bonding authority for
25 a subprogram under sub. (3) or (4) on June 30, 2010, is an amount greater than zero,

1 the department may expend any portion of this remaining bonding authority for that
2 subprogram in one or more subsequent fiscal years.

3 **SECTION 664.** 23.0918 of the statutes is created to read:

4 **23.0918 Natural resources land endowment fund. (1)** In this section,
5 “land” includes any buildings, facilities or other structures located on the land.

6 **(2)** Unless the natural resources board determines otherwise in a specific case,
7 only the income from the gifts, grants or bequests in the fund is available for
8 expenditure. The natural resources board may authorize expenditures only for
9 preserving, developing, managing or maintaining land under the jurisdiction of the
10 department that is used for any of the purposes specified in s. 23.09 (2) (d). In this
11 subsection, unless otherwise provided in a gift, grant or bequest, principal and
12 income are determined as provided under s. 701.20 (3).

13 **SECTION 664b.** 23.092 (4) of the statutes is amended to read:

14 23.092 **(4)** The department may share the costs of implementing land
15 management practices with landowners, or with nonprofit organizations that are
16 qualified to enhance wildlife-based recreation if these organizations have the
17 landowner’s permission to implement the practices. The department may share the
18 costs of acquiring easements for habitat areas with landowners or with these
19 nonprofit organizations. ~~This subsection does not apply before July 1, 1990~~ If the
20 funding for cost-sharing under this subsection will be expended from the
21 appropriation under s. 20.866 (2) (ta), the amount expended for the cost-sharing may
22 not exceed 50% of the cost of the management practices or of the acquisition costs for
23 the easement.

24 **SECTION 664d.** 23.092 (5) (a) of the statutes is amended to read:

1 23.092 (5) (a) The department shall determine the value of land or an easement
2 donated to the department that is within a habitat area and is dedicated for purposes
3 of habitat protection, enhancement or restoration. For an easement, the valuation
4 shall be based on the extent to which the fair market value of the land is diminished
5 by the transfer. ~~Beginning on July 1, 1990, and except~~ Except as provided in par. (b),
6 an amount of money equal to the value of the donation shall be released from the
7 appropriation under s. 20.866 (2) (ta) or (tz) or both to be used for habitat protection,
8 enhancement or restoration activities for the same habitat area in which any
9 donation was made on or after August 9, 1989. The department shall determine how
10 the moneys being released are to be allocated from these appropriations.

11 **SECTION 664f.** 23.092 (5) (b) of the statutes is renumbered 23.092 (5) (b) 1. and
12 amended to read:

13 23.092 (5) (b) 1. If the moneys ~~to be released~~ allocated under par. (a) for release
14 from the appropriation under s. 20.866 (2) (tz) to match a donation under par. (a) will
15 exceed the expenditure limit under sub. (6) for a given fiscal year, as adjusted under
16 s. 23.0915 (2), the department shall release from the moneys appropriated under s.
17 20.866 (2) (tz) the remaining amount available under the expenditure limit under
18 sub. (6), as adjusted under s. 23.0915 (2), for the given fiscal year and shall release
19 in each following fiscal year from the moneys appropriated under s. 20.866 (2) (tz)
20 an amount equal to the expenditure limit under sub. (6), as adjusted under s. 23.0915
21 (2), or equal to the amount still needed to match the donation, whichever is less, until
22 the entire amount necessary to match the donation is released. This subdivision does
23 not apply after June 30, 2000.

24 **SECTION 664h.** 23.092 (5) (b) 2. of the statutes is created to read:

1 23.092 (5) (b) 2. If the moneys allocated under par. (a) for release from the
2 appropriation under s. 20.866 (2) (ta) to match a donation under par. (a) will exceed
3 the annual bonding authority for the subprogram under s. 23.0917 (3) for a given
4 fiscal year, as adjusted under s. 23.0917 (5), the department shall release from the
5 moneys appropriated under s. 20.866 (2) (ta) the remaining amount available under
6 that annual bonding authority, as adjusted under s. 23.0917 (5), for the given fiscal
7 year and shall release in each following fiscal year from the moneys appropriated
8 under s. 20.866 (2) (ta) an amount equal to that annual bonding authority, as
9 adjusted under s. 23.0917 (5), or equal to the amount still needed to match the
10 donation, whichever is less, until the entire amount necessary to match the donation
11 is released.

12 **SECTION 664i.** 23.092 (6) of the statutes is amended to read:

13 23.092 (6) Except as provided in s. 23.0915 (2), the department may not expend
14 from the appropriation under s. 20.866 (2) (tz) more than \$1,500,000 under this
15 section for fisheries, for habitat areas and for grants for this purpose under s. 23.096
16 in each fiscal year. Of this amount the department may not expend more than
17 \$75,000 for fisheries in each fiscal year.

18 **SECTION 664j.** 23.092 (6) of the statutes, as affected by 1999 Wisconsin Act
19 (this act), is repealed and recreated to read:

20 23.092 (6) Except as provided in s. 23.0915 (2), the department may not expend
21 from the appropriation under s. 20.866 (2) (tz) more than \$1,500,000 under this
22 section for fisheries, for habitat areas and for grants for this purpose under s. 23.096
23 in each fiscal year.

24 **SECTION 665k.** 23.094 (3g) of the statutes is amended to read:

1 23.094 **(3g)** ACQUISITION BY POLITICAL SUBDIVISION. A political subdivision may
2 acquire by gift, devise or purchase land adjacent to a stream identified as a priority
3 stream under sub. (2) or acquire by gift, devise or purchase a permanent stream bank
4 easement from the owner of the land. The department may make grants from the
5 appropriation under s. 20.866 (2) (tz) to political subdivisions to purchase these lands
6 and easements. The department may make grants under s. 23.096 from the
7 appropriation under s. 20.866 (2) (ta) or (tz) or both. Whenever possible, the land or
8 easement shall include the land within at least 66 feet from either side of the stream.

9 **SECTION 665L.** 23.094 (3m) of the statutes is created to read:

10 23.094 **(3m)** LIMITS. A grant under sub (3g) may not exceed 50% of the
11 acquisition costs for the land or the easement.

12 **SECTION 665m.** 23.094 (4) (a) of the statutes is amended to read:

13 23.094 **(4)** (a) The department shall determine the value of land or an easement
14 donated to the department for purposes of this section and for stream bank
15 protection under s. 23.096. For an easement, the valuation shall be based on the
16 extent to which the fair market value of the land is diminished by the transfer.
17 ~~Beginning July 1, 1990, and except~~ Except as provided in par. (b), an amount of
18 money equal to the value of the donation shall be released from the appropriation
19 under s. 20.866 (2) (ta) or (tz) or both to be used to acquire easements and land under
20 this section and s. 23.096 for the same stream for which any donation was made on
21 or after August 9, 1989. The department shall determine how the moneys being
22 released are to be allocated from these appropriations.

23 **SECTION 665n.** 23.094 (4) (b) of the statutes is renumbered 23.094 (4) (b) 1. and
24 amended to read:

1 23.094 (4) (b) 1. If the moneys ~~to be released~~ allocated under par. (a) for release
2 from the appropriation under s. 20.866 (2) (tz) to match a donation under par. (a) will
3 exceed the expenditure limit under sub. (8) for a given fiscal year, as adjusted under
4 s. 23.0915 (2), the department shall release from the moneys appropriated under s.
5 20.866 (2) (tz) the remaining amount available under the expenditure limit under
6 sub. (8), as adjusted under s. 23.0915 (2), for the given fiscal year and shall release
7 in each following fiscal year from the moneys appropriated under s. 20.866 (2) (tz)
8 an amount equal to the expenditure limit under sub. (8), as adjusted under s. 23.0915
9 (2), or equal to the amount still needed to match the donation, whichever is less, until
10 the entire amount necessary to match the donation is released. This subdivision does
11 not apply after June 30, 2000.

12 **SECTION 665o.** 23.094 (4) (b) 2. of the statutes is created to read:

13 23.094 (4) (b) 2. If the moneys allocated under par. (a) for release from the
14 appropriation under s. 20.866 (2) (ta) to match a donation under par. (a) will exceed
15 the annual bonding authority for the subprogram under s. 23.0917 (3) for a given
16 fiscal year, as adjusted under s. 23.0917 (5), the department shall release from the
17 moneys appropriated under s. 20.866 (2) (ta) the remaining amount available under
18 that annual bonding authority, as adjusted under s. 23.0917 (5), for the given fiscal
19 year and shall release in each following fiscal year from the moneys appropriated
20 under s. 20.866 (2) (ta) an amount equal to that annual bonding authority, as
21 adjusted under s. 23.0917 (5), or equal to the amount still needed to match the
22 donation, whichever is less, until the entire amount necessary to match the donation
23 is released.

24 **SECTION 665p.** 23.094 (8) of the statutes is amended to read:

1 23.094 (8) APPROPRIATION. ~~The costs of acquiring easements and land under~~
2 ~~this section or s. 23.096 shall be paid from the appropriation under s. 20.866 (2) (tz).~~
3 Except as provided in s. 23.0915 (2), the department may not expend from the
4 appropriation under s. 20.866 (2) (tz) more than \$1,000,000 for fisheries, for the
5 acquisition of land and easements by the department under this section, for grants
6 under sub. (3g) and for grants for this purpose under s. 23.096 in each fiscal year.
7 Of this amount, the department may not expend more than \$300,000 in each fiscal
8 year for grants under sub. (3g) to cities, villages, towns and counties.

9 **SECTION 665q.** 23.094 (8) of the statutes, as affected by 1999 Wisconsin Act ...
10 (this act), is repealed and recreated to read:

11 23.094 (8) APPROPRIATION. Except as provided in s. 23.0915 (2), the department
12 may not expend from the appropriation under s. 20.866 (2) (tz) more than \$1,000,000
13 for fisheries, for the acquisition of land and easements by the department under this
14 section, for grants under sub. (3g) and for grants for this purpose under s. 23.096 in
15 each fiscal year.

16 **SECTION 665r.** 23.0955 (1) of the statutes is amended to read:

17 23.0955 (1) In this section ~~and s. 23.096~~, “nonprofit conservation organization”
18 means a nonprofit corporation, a charitable trust or other nonprofit association
19 whose purposes include the acquisition of property for conservation purposes and
20 that is described in section 501 (c) (3) of the internal revenue code and is exempt from
21 federal income tax under section 501 (a) of the internal revenue code.

22 **SECTION 665rc.** 23.0955 (2) (a) (intro.) of the statutes is amended to read:

23 23.0955 (2) (a) (intro.) ~~The~~ From the appropriation under s. 20.370 (5) (aw), the
24 department shall provide one grant of \$75,000 \$250,000 in each fiscal year ~~1996–97,~~
25 beginning with fiscal year 1999–2000. to a nonstock, nonprofit corporation that is

1 described under section 501 (c) (3) or (4) of the ~~internal revenue code~~ Internal
2 Revenue Code, in existence on the effective date of this paragraph.... [revisor inserts
3 date], and organized in this state if the corporation meets all of the following
4 requirements:

5 **SECTION 665rd.** 23.0955 (2) (a) 3. of the statutes is amended to read:

6 23.0955 (2) (a) 3. The corporation has a board of directors whose members
7 represent, to the greatest extent practicable, all geographic areas of the state and
8 that has a majority of members who are representatives of nonprofit conservation
9 organizations.

10 **SECTION 665re.** 23.0955 (2) (am) of the statutes is repealed.

11 **SECTION 665rf.** 23.0955 (2) (b) (intro.) of the statutes is amended to read:

12 23.0955 (2) (b) (intro.) A corporation receiving a grant under this subsection
13 shall do all of the following, but shall emphasize the activities described in subs. 1.
14 and 2.:

15 **SECTION 665rg.** 23.0955 (2) (b) 2m., 4. and 5. of the statutes are created to read:

16 23.0955 (2) (b) 2m. Assist nonprofit conservation organizations in acquiring
17 property for conservation purposes and in managing property acquired for
18 conservation purposes.

19 4. Acquire a property for conservation purposes where no other nonprofit
20 conservation organization exists that is willing to assist or capable of effectively
21 assisting in the transfer of the property or that can adequately manage the property
22 after it is acquired.

23 5. For each fiscal year, prepare a report detailing the activities for which a grant
24 under this section was expended, describing any property acquired by the
25 corporation and explaining how the acquisition of that property furthers the goal of

1 conservation in the state. Copies of the report shall be submitted to the department
2 and to the legislature under s. 13.172 (2).

3 **SECTION 665rh.** 23.0955 (3) of the statutes is created to read:

4 23.0955 (3) (a) During the period beginning on January 1, 2004, and ending on
5 July 1, 2004, the department shall submit a comprehensive report describing the
6 cost of, and accomplishments achieved by, activities funded with grants under this
7 section, commencing with the grants provided in the 1999–2000 fiscal year. The
8 report shall evaluate all of the following:

9 1. How grants under this section have furthered the goal of encouraging private
10 resource conservation.

11 2. The extent to which grants under this section complement the resource
12 conservation goals of the department.

13 (b) The report shall contain a recommendation to the legislature on whether
14 the grant program under this section should be continued, eliminated or revised.

15 (c) The report shall be distributed to the speaker of the assembly and the
16 president of the senate under s. 13.172 (3).

17 **SECTION 665ri.** 23.0956 of the statutes is created to read:

18 **23.0956 Assistance for private conservation activities.** (1) From the
19 appropriation under s. 20.370 (5) (aw), the department shall provide one grant of
20 \$85,000 in each fiscal year, beginning with fiscal year 2000–01, to a nonstock,
21 nonprofit corporation that is described under section 501 (c) (3) or (4) of the Internal
22 Revenue Code and organized in this state if the corporation meets all of the following
23 requirements:

24 (a) The corporation is exempt from taxation under section 501 (a) of the
25 Internal Revenue Code.

1 (b) The corporation was created to accept and to utilize private contributions
2 made to protect and enhance the state’s natural resources.

3 (2) A corporation receiving a grant under sub. (1) shall use the grant to do all
4 of the following:

5 (a) Encourage private corporations and other private entities to undertake
6 activities, including the contribution of money, that encourage management and
7 restoration of the state’s endangered wild animals, wild plants and natural
8 communities.

9 (b) Encourage private corporations and other private entities to engage in land
10 management practices that protect and preserve natural resources.

11 (c) Provide grants to nonprofit and other groups to encourage education,
12 restoration and management activities to enhance the state’s natural resources.

13 **SECTION 665rm.** 23.0957 of the statutes is created to read:

14 **23.0957 Annual grants to a nonstock, nonprofit corporation; urban**
15 **land conservation. (1)** In this section:

16 (a) “Local governmental unit” has the meaning given in s. 23.09 (19) (a) 2.

17 (b) “Interested group” means a community group, nonprofit organization or
18 local governmental unit that is interested in acquiring urban land for urban forestry
19 protection, water resource management, conservation, recreation or other urban
20 open space purposes.

21 (2) The department shall provide one grant of \$75,000 in each fiscal year,
22 beginning with fiscal year 1999–2000, to a nonstock, nonprofit corporation that
23 meets all of the following requirements:

24 (a) The corporation is organized in this state.

1 (b) The corporation is described under section 501 (c) (3) or (4) of the Internal
2 Revenue Code and exempt from taxation under section 501 (a) of the Internal
3 Revenue Code.

4 (c) The corporation has a board of directors or an advisory council or both with
5 members who represent one or more urban or urbanizing areas and who collectively
6 have an interest or expertise in all of the following:

7 1. Nonprofit organizations.

8 2. Business.

9 3. Social services.

10 4. Land development.

11 5. Architecture.

12 6. Landscape architecture.

13 7. Conservation.

14 (d) The corporation contributes \$25,000 in funds annually to be used with the
15 grant under this subsection.

16 **(3)** A corporation receiving a grant under sub. (2) may use the grant for urban
17 forest protection, water resource enhancement or other urban open space objectives
18 and shall do all of the following with the grant:

19 (a) Provide to interested groups technical assistance, especially in the areas of
20 urban open space real estate transactions, reclaiming and restoring the natural
21 values of urban parks, urban forests and open space areas, designing and
22 constructing amenities in open space areas, cultivating citizen participation in
23 acquiring, developing and maintaining open space areas and securing public
24 financing for open space areas.

25 (b) Conduct conferences on the topics listed in par. (a).

1 (c) Assist community groups, nonprofit organizations and local governmental
2 units in acquiring urban property for open space purposes and in restoring urban
3 property acquired for conservation, recreation and other open space purposes.

4 (d) For each fiscal year, prepare a report detailing the activities for which a
5 grant under sub. (2) is expended. Copies of the report shall be submitted to the
6 department and to the appropriate standing committees of the legislature, as
7 determined by the speaker of the assembly or the president of the senate.

8 **(4)** A corporation receiving a grant under sub. (2) may acquire urban property
9 for conservation, recreation and other open space purposes.

10 **SECTION 665s.** 23.096 (1) of the statutes is renumbered 23.096 (1) (intro.) and
11 amended to read:

12 23.096 **(1)** (intro.) In this section, “~~property~~”:

13 **(b)** “Property” means land or an interest in land.

14 **SECTION 665t.** 23.096 (1) (ag) of the statutes is created to read:

15 23.096 **(1)** (ag) “Nonprofit conservation organization” has the meaning given
16 in s. 23.0955 (1).

17 **SECTION 665u.** 23.096 (2) of the statutes is renumbered 23.096 (2) (a) and
18 amended to read:

19 23.096 **(2)** (a) The department may award grants from the appropriation under
20 s. 20.866 (2) (ta) or (tz) to nonprofit conservation organizations to acquire property
21 for all of the purposes described in ss. 23.09 (2) (d) 1. to 7., 9., 11., 12. and 15., (19)
22 and, (20) and (20m), 23.092, 23.094, 23.17, 23.175, 23.27, 23.29, 23.293, 30.24 and
23 30.277 (2) (a).

24 **SECTION 665v.** 23.096 (2) (b) of the statutes is created to read:

1 23.096 (2) (b) A grant awarded under this section may not exceed 50% of the
2 acquisition costs of the property.

3 **SECTION 665vm.** 23.0962 (3) of the statutes is created to read:

4 23.0962 (3) (a) In this subsection:

5 1. “Local governmental unit” means county or town.

6 2. “Special zoning permission” has the meaning given in s. 59.69 (15) (g).

7 (b) Notwithstanding s. 18.04 (1) and (2), the building commission may
8 authorize public debt to be contracted, and the department may make a grant from
9 the appropriation under s. 20.370 (5) (cq), for the property known as Black Point
10 Estate only if all of the following apply:

11 1. A substantially completed application for any necessary special zoning
12 permission for the property has been submitted before December 1, 1999, to the
13 applicable local governmental unit.

14 2. The necessary special zoning permission, based on the application submitted
15 before December 1, 1999, is granted.

16 **SECTION 665w.** 23.098 (1) (c) of the statutes is created to read:

17 23.098 (1) (c) “Nonprofit conservation organization” has the meaning given in
18 s. 23.0955 (1).

19 **SECTION 665x.** 23.098 (2) of the statutes is amended to read:

20 23.098 (2) The department shall establish a program to ~~expend~~ make grants
21 from the ~~appropriation~~ appropriations under s. 20.866 (2) ~~(ta) and (tz)~~ moneys for
22 grants to friends groups and nonprofit conservation organizations for projects for
23 property development activities on department properties. The department may not
24 encumber more than ~~\$200,000~~ \$250,000 in each fiscal year for these grants.

25 **SECTION 665y.** 23.098 (4) (am) of the statutes is created to read:

1 23.098 (4) (am) In awarding grants under this section for eligible projects, the
2 department shall establish a system under which the grants are offered to eligible
3 friends groups before being offered to eligible nonprofit conservation organizations.

4 **SECTION 665z.** 23.098 (5) of the statutes is amended to read:

5 23.098 (5) Each friends group and nonprofit conservation organization
6 receiving a grant under this section shall provide matching funds that are equal to
7 at least 50% of the estimated cost of the project for which a grant is being provided.

8 **SECTION 671b.** 23.175 (3) (b) (intro.) of the statutes is amended to read:

9 23.175 (3) (b) (intro.) ~~Beginning July 1, 1990, expend~~ Expend an amount from
10 the appropriation under s. 20.866 (2) (ta) or (tz) or both that equals any of the
11 following:

12 **SECTION 671d.** 23.175 (3m) of the statutes is created to read:

13 23.175 (3m) ALLOCATION BETWEEN APPROPRIATIONS. For purposes of sub. (3) (b),
14 the department shall determine how the moneys being expended are to be allocated
15 from the appropriations under s. 20.866 (2) (ta) and (tz). The department may not
16 allocate or expend any moneys from the appropriation under s. 20.866 (2) (ta) before
17 July 1, 2000.

18 **SECTION 671e.** 23.175 (4) of the statutes is amended to read:

19 23.175 (4) LIMITS ON SPENDING. Except as provided in s. 23.0915 (2), the
20 department may not expend from the appropriation under s. 20.866 (2) (tz) more
21 than \$1,000,000 under this section for trails and for grants for this purpose under
22 s. 23.096 in each fiscal year. Of this amount, the department may not expend from
23 the appropriation under s. 20.866 (2) (tz) more than \$500,000 under sub. (3) (b) in
24 each fiscal year.

1 **SECTION 671g.** 23.175 (4) of the statutes, as affected by 1999 Wisconsin Act ...
2 (this act), is repealed and recreated to read:

3 **23.175 (4) LIMIT ON SPENDING.** Except as provided in s. 23.0915 (2), the
4 department may not expend from the appropriation under s. 20.866 (2) (tz) more
5 than \$1,000,000 under this section for trails and for grants for this purpose under
6 s. 23.096 in each fiscal year.

7 **SECTION 671h.** 23.192 of the statutes is created to read:

8 **23.192 Mead Wildlife Area public interpretive center.** From the
9 appropriation under s. 20.866 (2) (tr), the department shall provide not more than
10 \$112,000 for a public interpretive center at the Mead Wildlife Area in Portage,
11 Marathon and Wood counties. Expenditures under this section shall be made in a
12 manner that, for every \$2 received by the department from private grants, gifts or
13 bequests for the project, \$3 will be expended from the moneys under this section.

14 **SECTION 671m.** 23.197 of the statutes is created to read:

15 **23.197 Warren Knowles–Gaylord Nelson stewardship programs;**
16 **specific projects or activities. (1) ROOT RIVER; MULTIPURPOSE PATHWAY.** (a) From
17 the appropriation under s. 20.866 (2) (ta) or (tz) or both, the department shall provide
18 funding to the city of Racine for a multipurpose pathway along the Root River. The
19 amount provided by the department may not exceed the amount that equals the
20 matching contribution for the pathway made by the city of Racine or \$750,000,
21 whichever is less.

22 (b) The department shall determine how the moneys being provided under par.
23 (a) will be allocated between the appropriations under s. 20.866 (2) (ta) and (tz). For
24 purposes of s. 23.0915 (1), moneys provided from the appropriation under s. 20.866
25 (2) (tz) shall be treated as moneys expended for any of the purposes specified under

1 s. 23.0915 (1) (a) to (k) or any combination of those purposes. For purposes of s.
2 23.0917, moneys provided from the appropriation under s. 20.866 (2) (ta) shall be
3 treated as moneys obligated from either or both of the subprograms under s. 23.0917
4 (3) and (4).

5 **(2) ROCK RIVER; RIVER WALL.** (a) From the appropriation under s. 20.866 (2) (ta)
6 or (tz) or both, the department shall provide funding to the city of Fort Atkinson for
7 the restoration of a river wall along the Rock River. The amount provided by the
8 department may not exceed the amount that equals the matching contribution made
9 for the river wall by the city of Fort Atkinson or \$96,500, whichever is less. The
10 requirements for matching contributions under s. 30.277 (5) shall apply.

11 (b) The department shall determine how the moneys being provided under par.
12 (a) will be allocated between the appropriations under s. 20.866 (2) (ta) and (tz). For
13 purposes of s. 23.0915 (1), moneys provided from the appropriation under s. 20.866
14 (2) (tz) shall be treated as moneys expended for urban river grants. For purposes of
15 s. 23.0917, moneys provided from the appropriation under s. 20.866 (2) (ta) shall be
16 treated as moneys obligated under the subprogram for property development and
17 local assistance.

18 **(2m) ROCK RIVER; RECREATIONAL CORRIDOR.** (a) From the appropriation under
19 s. 20.866 (2) (tz), the department shall provide funding to the city of Janesville under
20 the urban rivers grant program under s. 30.277 for the Rock River recreational
21 corridor. The amount provided by the department under this paragraph may not
22 exceed that amount that equals the matching contributions made for the corridor by
23 the city of Janesville or \$100,000, whichever is less. The requirements for matching
24 contributions under s. 30.277 (5) shall apply.

1 (b) The funding under par. (a) is in addition to any encumbrance or expenditure
2 approved by the joint committee on finance under s. 23.0915 (4) for the Rock River
3 recreational corridor.

4 **(3)** KEYES LAKE; RECREATIONAL AREA. (a) From the appropriation under s. 20.866
5 (2) (ta) or (tz) or both, the department shall provide the amount necessary for the
6 development of a recreational area on Keyes Lake in Florence County, but the
7 amount may not exceed \$125,000.

8 (b) The department shall determine how the moneys being provided under par.
9 (a) will be allocated between the appropriations under s. 20.866 (2) (ta) and (tz). For
10 purposes of s. 23.0915 (1), moneys provided from the appropriation under s. 20.866
11 (2) (tz) shall be treated as moneys expended for any of the purposes specified under
12 s. 23.0915 (1) (a) to (k) or any combination of those purposes. For purposes of s.
13 23.0917, moneys provided from the appropriation under s. 20.866 (2) (ta) shall be
14 treated as moneys obligated from either or both of the subprograms under s. 23.0917
15 (3) and (4).

16 **(3m)** RIB MOUNTAIN STATE PARK. From the appropriation under s. 20.866 (2) (ta)
17 or (tz) or both, the department shall provide funding in the amount of \$500,000 to
18 rebuild a chalet at Rib Mountain State Park. The department shall determine how
19 the moneys being provided under this subsection will be allocated between the
20 appropriations under s. 20.866 (2) (ta) and (tz). For purposes of s. 23.0915 (1),
21 moneys provided from the appropriation under s. 20.866 (2) (tz) shall be treated as
22 moneys expended for general property development. For purposes of s. 23.0917,
23 moneys provided from the appropriation under s. 20.866 (2) (ta) shall be treated as
24 moneys obligated under the subprogram for property development and local
25 assistance.

1 **(4)** GRANT FOR LAND ACQUISITION AND HABITAT RESTORATION. (a) In this
2 subsection:

3 1. “Nonprofit organization” means a nonprofit corporation, a charitable trust
4 or other nonprofit association that is described in section 501 (c) (3) of the Internal
5 Revenue Code and is exempt from federal income tax under section 501 (a) of the
6 Internal Revenue Code.

7 2. “Land” has the meaning given in s. 23.0917 (1) (d).

8 (b) From the appropriation under s. 20.866 (2) (ta), the department may award
9 a single grant of \$20,000 to an organization that is not a nonprofit organization but
10 that has entered into an agreement with a nonprofit organization in order to apply
11 for the grant. The grant may be used for land acquisition for conservation or
12 recreation purposes or for habitat restoration or both. For purposes of s. 23.0917,
13 moneys obligated for this grant shall be treated as moneys obligated under the
14 subprogram for land acquisition.

15 (c) In order to receive the grant under this section, the nonprofit organization
16 and the other organization who are parties to the agreement specified under par. (b)
17 shall enter into a contract with the department that contains conditions imposed by
18 the department on the use of the grant, on any land acquired with moneys from the
19 grant and on any transfer to a 3rd party of any such acquired land.

20 (d) Title to the land acquired with moneys from the grant under this section
21 shall vest in the nonprofit organization. If the nonprofit organization or the other
22 organization violates any essential provision of the contract entered into under par.
23 (c), title to the land shall vest in the state.

24 **(6)** SHEBOYGAN; RIVERFRONT PARK. From the appropriation under s. 20.866 (2)
25 (tz), the department shall provide \$173,763 for the development and expansion of

1 Workers Water Street Riverfront Park in the city of Sheboygan. For purposes of s.
2 23.0915 (1), moneys provided from the appropriation under s. 20.866 (2) (tz) shall be
3 treated as moneys expended for any of the purposes specified under s. 23.0915 (1) (a)
4 to (k) or any combination of those purposes.

5 **SECTION 671mn.** 23.198 of the statutes is created to read:

6 **23.198 Milwaukee Lakeshore State Park. (1) STEWARDSHIP FUNDING.** (a)
7 From the appropriation under s. 20.866 (2) (ta), the department shall provide up to
8 \$1,500,000 for the development of a state park which will provide access to Lake
9 Michigan in the city of Milwaukee. For purposes of s. 23.0917, moneys provided
10 under this paragraph shall be treated as moneys obligated under the subprogram for
11 property development and local assistance.

12 (b) From the appropriation under s. 20.866 (2) (tz), the department shall
13 provide up to \$500,000 for development of a state park as described in par. (a). For
14 purposes of s. 23.0915 (1), moneys provided under this paragraph shall be treated as
15 moneys expended for general property development.

16 **(2) OTHER FUNDING.** (a) The department shall expend the following amounts
17 from the appropriation under s. 20.370 (5) (cq) for the development of a state park
18 as described in sub. (1):

19 1. Up to \$2,400,000 of the moneys appropriated from that appropriation for
20 fiscal year 1999–2000.

21 2. Up to \$2,000,000 of the moneys appropriated from that appropriation for
22 fiscal year 2000–01.

23 (b) Of the amounts authorized for expenditure under par. (a) 1., the department
24 shall provide up to \$400,000 to the Milwaukee Art Museum for the construction of
25 a breakwater.

1 (c) Beginning on July 1, 2000, the department shall expend from the
2 appropriation under s. 20.370 (7) (fs) \$1,000,000 for a state park as described in sub.
3 (1).

4 **SECTION 671n.** 23.22 of the statutes is created to read:

5 **23.22 MacKenzie environmental center staffing.** The department shall
6 maintain a staffing level for the performance of facilities repair work functions at the
7 MacKenzie environmental center in Poynette that is at least 1.0 position greater
8 than the level that existed on April 29, 1999.

9 **SECTION 671p.** 23.27 (4) of the statutes is amended to read:

10 23.27 (4) NATURAL AREAS LAND ACQUISITION; CONTINUING COMMITMENT. It is the
11 intent of the legislature to continue natural areas land acquisition activities from
12 moneys available from the ~~appropriation~~ appropriations under ss. 20.370 (7) (fa) and
13 20.866 (2) (ta), (ts) and (tz). This commitment is separate from and in addition to the
14 commitment to acquire natural areas under the Wisconsin natural areas heritage
15 program. Except as provided in s. 23.0915 (2), the department may not expend from
16 the appropriation under s. 20.866 (2) (tz) more than \$1,500,000 in each fiscal year
17 for natural areas land acquisition activities under this subsection and for grants for
18 this purpose under s. 23.096.

19 **SECTION 672d.** 23.27 (5) of the statutes is amended to read:

20 23.27 (5) NATURAL AREAS LAND ACQUISITION; COMMITMENT UNDER THE WISCONSIN
21 NATURAL AREAS HERITAGE PROGRAM. It is the intent of the legislature to initiate
22 additional natural areas land acquisition activities with moneys available from the
23 appropriations under ss. 20.370 (1) (mg) and 20.866 (2) (ta), (tt) and (tz) under the
24 Wisconsin natural areas heritage program. This commitment is separate from and
25 in addition to the continuing commitment under sub. (4). Moneys available from the

1 appropriations under ss. 20.370 (1) (mg) and 20.866 (2) (ta), (tt) and (tz) under the
2 Wisconsin natural areas heritage program may not be used to acquire land through
3 condemnation. The department may not acquire land under this subsection unless
4 the land is suitable for dedication under the Wisconsin natural areas heritage
5 program and upon purchase or as soon after purchase as practicable the department
6 shall take all necessary action to dedicate the land under the Wisconsin natural
7 areas heritage program. Except as provided in s. 23.0915 (2), the department may
8 not expend from the appropriation under s. 20.866 (2) (tz) more than \$500,000 in
9 each fiscal year for natural areas land acquisition activities under this subsection
10 and for grants for this purpose under s. 23.096.

11 **SECTION 672f.** 23.29 (2) of the statutes is amended to read:

12 **23.29 (2) CONTRIBUTIONS; STATE MATCH.** The department may accept
13 contributions and gifts for the Wisconsin natural areas heritage program. The
14 department shall convert donations of land which it determines, with the advice of
15 the council, are not appropriate for the Wisconsin natural areas heritage program
16 into cash. The department shall convert other noncash contributions into cash.
17 These moneys shall be deposited in the general fund and credited to the
18 appropriation under s. 20.370 (1) (mg). These moneys shall be matched by an equal
19 amount released from the appropriation under s. 20.866 (2) (ta), (tt) or (tz) or ~~both~~
20 from any combination of these appropriations to be used for natural areas land
21 acquisition activities under s. 23.27 (5). The department shall determine how the
22 moneys being released are to be allocated from these appropriations. ~~No moneys may~~
23 ~~be released under s. 20.866 (2) (tz) before July 1, 1990.~~

24 **SECTION 672g.** 23.29 (3) of the statutes is amended to read:

1 23.29 (3) LAND DEDICATIONS; VALUATION; STATE MATCH. The department shall
2 determine the value of land accepted for dedication under the Wisconsin natural
3 areas heritage program. If the land dedication involves the transfer of the title in
4 fee simple absolute or other arrangement for the transfer of all interest in the land
5 to the state, the valuation shall be based on the fair market value of the land prior
6 to the transfer. If the land dedication involves the transfer of a partial interest in
7 land to the state, the valuation shall be based on the extent to which the fair market
8 value of the land is diminished by that transfer and the associated articles of
9 dedication. If the land dedication involves a sale of land to the department at less
10 than the fair market value, the valuation of the dedication shall be based on the
11 difference between the purchase price and the fair market value. An amount equal
12 to the value of land accepted for dedication under the Wisconsin natural areas
13 heritage program shall be released from the appropriation under s. 20.866 (2) (ta),
14 (tt) or (tz) or both from any combination of these appropriations to be used for natural
15 areas land acquisition activities under s. 23.27 (5). This subsection does not apply
16 to dedications of land under the ownership of the state. The department shall
17 determine how the moneys being released are to be allocated from these
18 appropriations. ~~No moneys may be released under s. 20.866 (2) (tz) before July 1,~~
19 ~~1990.~~

20 **SECTION 672j.** 23.293 (4) of the statutes is amended to read:

21 23.293 (4) CONTRIBUTIONS AND GIFTS; STATE MATCH. The department may accept
22 contributions and gifts for the ice age trail program. The department may convert
23 gifts of land which it determines are not appropriate for the ice age trail program into
24 cash. The department may convert other noncash contributions and gifts into cash.
25 These moneys shall be deposited in the general fund and credited to the

1 appropriation under s. 20.370 (7) (gg). An amount equal to the value of all
2 contributions and gifts shall be released from the appropriation under s. 20.866 (2)
3 ~~(ta), (tw) or (tz) or both~~ from any combination of these appropriations to be used for
4 land acquisition and development activities under s. 23.17. The department shall
5 determine how the moneys being released are to be allocated from these
6 appropriations. ~~No moneys may be released under s. 20.866 (2) (tz) before~~
7 ~~July 1, 1990.~~

8 **SECTION 672k.** 23.293 (5) of the statutes is amended to read:

9 23.293 (5) LAND DEDICATIONS; VALUATION; STATE MATCH. The department shall
10 determine the value of land accepted for dedication under the ice age trail program.
11 If the land dedication involves the transfer of the title in fee simple absolute or other
12 arrangement for the transfer of all interest in the land to the state, the valuation of
13 the land shall be based on the fair market value of the land before the transfer. If
14 the land dedication involves the transfer of a partial interest in land to the state, the
15 valuation of the land shall be based on the extent to which the fair market value of
16 the land is diminished by that transfer and the associated articles of dedication. If
17 the land dedication involves a sale of land to the department at less than the fair
18 market value, the valuation of the land shall be based on the difference between the
19 purchase price and the fair market value. An amount equal to the valuation of the
20 land accepted for dedication under the ice age trail program shall be released from
21 the appropriation under s. 20.866 (2) ~~(ta), (tw) or (tz) or both~~ from any combination
22 of these appropriations to be used for ice age trail acquisition activities under s.
23 23.17. The department shall determine how the moneys being released are to be
24 allocated from these appropriations. ~~No moneys may be released under s. 20.866 (2)~~

1 ~~(tz) before July 1, 1990.~~ This subsection does not apply to dedications of land under
2 the ownership of the state.

3 **SECTION 672m.** 23.295 of the statutes is created to read:

4 **23.295 Ice age trail area grants. (1)** In this section:

5 (a) “Ice age trail area” means the trail designated under s. 23.17 (2).

6 (b) “Local governmental unit” means a political subdivision of this state, a
7 special purpose district in this state, an instrumentality or corporation of the
8 political subdivision or special purpose district or a combination or subunit of any of
9 the foregoing.

10 **(2)** The department shall provide one grant of \$75,000 in each fiscal year,
11 beginning with fiscal year 1999–2000, to a nonstock, nonprofit corporation that
12 meets all of the following requirements:

13 (a) The corporation is organized in this state.

14 (b) The corporation is described under section 501 (c) (3) or (4) of the Internal
15 Revenue Code and exempt from taxation under section 501 (a) of the Internal
16 Revenue Code.

17 (c) The corporation has a board of directors or an advisory council or both whose
18 members represent different geographic areas of the ice age trail area, and at least
19 one–third of whom are current or former ice age trail volunteers.

20 (d) The board of directors or an advisory council of the corporation or both
21 collectively have an interest or expertise in all of the following:

22 1. Recruiting and training volunteers.

23 2. Land conservation.

24 3. Trails and outdoor recreation.

25 4. Tourism.

1 5. This state’s glacial geology.

2 6. This state’s cultural history.

3 (e) The corporation contributes \$25,000 in funds annually to be used with the
4 grant under this section.

5 **(3)** A corporation receiving a grant under sub. (2) may use the grant for
6 activities related to the development, maintenance, protection and promotion of the
7 ice age trail area and shall do all of the following with the grant:

8 (a) Support the work of volunteers who develop, maintain and promote the ice
9 age trail area.

10 (b) Build partnerships for the ice age trail area with local governmental units
11 and nonprofit organizations.

12 (c) Promote the protection of a corridor for the ice age trail area by providing
13 information about acquiring land, or an interest in land, in that corridor.

14 (d) Strengthen community support for the ice age trail area by recruiting and
15 training volunteers and by coordinating the activities of interest groups.

16 (e) Promote tourism in the ice age trail area.

17 (f) For each fiscal year, prepare a report detailing the activities for which a
18 grant under sub. (2) is expended. Copies of the report shall be submitted to the
19 department and to the appropriate standing committees of the legislature, as
20 determined by the speaker of the assembly or the president of the senate.

21 **SECTION 672p.** 23.317 of the statutes is created to read:

22 **23.317 In-service training.** At least once during each fiscal biennium, the
23 department shall offer an in-service training course that provides training on the
24 topic of natural resources and public relations. The department may offer the
25 training course in one or more sessions during the fiscal biennium. The department

1 shall model its training course on the training course on the topic of natural resources
2 and public relations that is part of the course offerings of the University of
3 Wisconsin–Stevens Point on the effective date of this section [revisor inserts
4 date].

5 **SECTION 673.** 23.322 of the statutes is created to read:

6 **23.322 Fees for computer accessible water resource management**
7 **information.** The department may charge a fee for providing any information that
8 that it maintains in a format that may be accessed by computer concerning the
9 waters of this state, including maps and other water resource management
10 information.

11 **SECTION 674.** 23.33 (1) (g) of the statutes is created to read:

12 23.33 (1) (g) “Expedited service” means the process under which a person is
13 able to renew an all–terrain vehicle registration certificate in person and with only
14 one appearance at the site where certificates are renewed.

15 **SECTION 675.** 23.33 (2) (i) of the statutes is created to read:

16 23.33 (2) (i) *Registration; appointment of agents.* For the issuance of
17 all–terrain vehicle registration certificates, the department may do any of the
18 following:

- 19 1. Directly issue the certificates.
- 20 2. Appoint, as an agent of the department, the clerk of one or more counties to
21 issue the certificates.
- 22 3. Appoint persons who are not employes of the department to issue the
23 certificates as agents of the department.

24 **SECTION 676.** 23.33 (2) (j) of the statutes is created to read:

1 23.33 (2) (j) *Duplicates.* For purposes of pars. (i) to (o), the issuance of a
2 duplicate of an all-terrain vehicle registration certificate shall be considered the
3 same as the issuance of an original certificate.

4 **SECTION 677.** 23.33 (2) (k) of the statutes is created to read:

5 23.33 (2) (k) *Registration; agent activities.* 1. The clerk of any county appointed
6 under par. (i) 2. or (m) may accept the appointment.

7 2. The department may promulgate rules regulating the activities of persons
8 appointed under pars. (i) and (m).

9 **SECTION 678.** 23.33 (2) (L) of the statutes is created to read:

10 23.33 (2) (L) *Registration; issuing fees.* An agent appointed under par. (i) 2. or
11 3. shall collect an issuing fee of \$3 for each all-terrain vehicle registration certificate
12 that the agent issues. The agent shall remit to the department \$2 of each issuing fee
13 collected.

14 **SECTION 679.** 23.33 (2) (m) of the statutes is created to read:

15 23.33 (2) (m) *Renewals; agents.* For the renewal of all-terrain vehicle
16 registration certificates for public use or the renewal of commercial all-terrain
17 vehicle registration certificates, the department may renew the certificates directly
18 or may appoint agents in the manner specified in par. (i) 2. or 3. The department may
19 establish an expedited service to be provided by the department and these agents to
20 renew these types of all-terrain vehicle registration certificates.

21 **SECTION 680.** 23.33 (2) (n) of the statutes is created to read:

22 23.33 (2) (n) *Renewals; fees.* In addition to the renewal fee under par. (c), (d)
23 or (dm), the department may authorize that a supplemental renewal fee of \$3 be
24 collected for the renewal of all-terrain vehicle registration certificates that are
25 renewed in any of the following manners:

1 1. By agents appointed under par. (m).

2 2. By the department using the expedited service.

3 **SECTION 681.** 23.33 (2) (o) of the statutes is created to read:

4 23.33 (2) (o) *Renewals; remittal of fees.* An agent appointed under par. (m) shall
5 remit to the department \$2 of each \$3 fee collected under par. (n). Any fees remitted
6 to or collected by the department under par. (L) or (n) shall be credited to the
7 appropriation account under s. 20.370 (9) (hu).

8 **SECTION 681g.** 23.33 (4) (c) (title) of the statutes is amended to read:

9 23.33 (4) (c) (title) *Exceptions; municipal, state and utility operations; races and*
10 *derbies; land surveying operations.*

11 **SECTION 681h.** 23.33 (4) (c) 1m. of the statutes is created to read:

12 23.33 (4) (c) 1m. Paragraphs (a) and (b) do not apply to the operator of an
13 all-terrain vehicle who is engaged in land surveying operations, if safety does not
14 require strict adherence to the restrictions under pars. (a) and (b).

15 **SECTION 682.** 23.33 (5) (d) of the statutes is amended to read:

16 23.33 (5) (d) *Safety certification program established.* The department shall
17 establish or supervise the establishment of ~~programs~~ a program of instruction on
18 all-terrain vehicle laws, including the intoxicated operation of an all-terrain vehicle
19 law, regulations, safety and related subjects. The department ~~may charge or~~
20 ~~authorize~~ shall establish by rule an instruction fee for this program. An instructor
21 conducting the program of instruction under this paragraph shall collect the fee from
22 each person who receives instruction. The department may determine the portion
23 of this fee, which may not exceed 50%, that the instructor may retain to defray
24 expenses incurred by the instructor in conducting the program. The instructor shall

1 remit the remainder of the fee or, if nothing is retained, the entire fee to the
2 department.

3 **SECTION 684g.** 23.43 of the statutes is created to read:

4 **23.43 Watershed management center.** From the appropriation under s.
5 20.370 (4) (aq), the department shall annually provide to the board of regents of the
6 University of Wisconsin System \$150,000 to establish and operate the watershed
7 management center under s. 36.25 (29g).

8 **SECTION 684m.** 23.47 of the statutes is created to read:

9 **23.47 Payments for department of tourism programs and activities.**

10 The department of natural resources may not expend any moneys appropriated to
11 the department of natural resources under s. 20.370 to pay, in whole or in part, for
12 a program operated, or an activity conducted, by the department of tourism.

13 **SECTION 685.** 23.50 (1) of the statutes is amended to read:

14 **23.50 (1)** The procedure in ss. 23.50 to 23.85 applies to all actions in circuit
15 court to recover forfeitures, penalty assessments, jail assessments, applicable
16 weapons assessments, applicable environmental assessments, applicable wild
17 animal protection assessments, applicable natural resources assessments,
18 applicable fishing shelter removal assessments, applicable snowmobile registration
19 restitution payments and applicable natural resources restitution payments for
20 violations of ss. 77.09, 134.60, 167.10 (3), 167.31 (2), 281.48 (2) to (5), 283.33, 285.57
21 (2), 285.59 (2), (3) (c) and (4), 287.07, 287.08, 287.81 and 299.64 (2), subch. VI of ch.
22 77, this chapter and chs. 26 to 31 and of ch. 350, and any administrative rules
23 promulgated thereunder, violations specified under s. 285.86, violations of rules of
24 the Kickapoo reserve management board under s. 41.41 (7) (k) or violations of local

1 ordinances enacted by any local authority in accordance with s. 23.33 (11) (am) or
2 30.77.

3 **SECTION 686.** 23.51 (6) of the statutes is amended to read:

4 23.51 (6) “Penalty assessment” means the penalty assessment imposed by s.
5 ~~165.87~~ 757.05.

6 **SECTION 687.** 23.65 (1) of the statutes is amended to read:

7 23.65 (1) When it appears to the district attorney that a violation of s. 134.60,
8 281.48 (2) to (5), 283.33, 285.57 (2), 285.59 (2), (3) (c) and (4), 287.07, 287.08, 287.81
9 or 299.64 (2), this chapter or ch. 26, 27, 28, 29, 30, 31 or 350, or any administrative
10 rule promulgated pursuant thereto, or a violation specified under s. 285.86 has been
11 committed the district attorney may proceed by complaint and summons.

12 **SECTION 688.** 23.65 (3) of the statutes is amended to read:

13 23.65 (3) If a district attorney refuses or is unavailable to issue a complaint,
14 a circuit judge, after conducting a hearing, may permit the filing of a complaint if he
15 or she finds there is probable cause to believe that the person charged has committed
16 a violation of s. 287.07, 287.08 or 287.81, this chapter or ch. 26, 27, 28, 29, 30, 31 or
17 350 or a violation specified under s. 285.86. The district attorney shall be informed
18 of the hearing and may attend.

19 **SECTION 689.** 24.04 (2) of the statutes is amended to read:

20 24.04 (2) DISBURSEMENTS. All expenses necessarily incurred in caring for and
21 selling public lands shall be deducted from the gross receipts of the fund to which the
22 proceeds of the sale of the land will be added. Expenses necessarily incurred in
23 caring for public lands may include expenses for reforestation, erosion and insect
24 control, submerged log monitoring, surveys, appraisals, soil surveys and soil

1 mapping activities and other land management practices that serve to protect or
2 enhance the interests of the beneficiaries of the trust funds.

3 **SECTION 689b.** 24.61 (2) (a) (title) of the statutes is amended to read:

4 24.61 (2) (a) (title) *Authorized investments by board.*

5 **SECTION 689d.** 24.61 (2) (a) 3. of the statutes is amended to read:

6 24.61 (2) (a) 3. Bonds and notes of this state.

7 **SECTION 689fh.** 24.61 (2) (b) of the statutes is amended to read:

8 24.61 (2) (b) *Deposited with state treasurer.* All bonds, notes and other
9 securities so purchased under par. (a) shall be deposited with the state treasurer.

10 **SECTION 689j.** 24.61 (2) (c) of the statutes is created to read:

11 24.61 (2) (c) *Delegation of investment authority to investment board.* The board
12 may delegate to the investment board the authority to invest part or all of the moneys
13 belonging to the trust funds. If the board delegates the authority, the investment
14 board may invest the moneys belonging to the trust funds in any manner authorized
15 for the investment of any funds specified in s. 25.17 (1).

16 **SECTION 689L.** 24.62 (1) of the statutes is amended to read:

17 24.62 (1) Except as authorized in sub. (2), the board shall deduct its expenses
18 incurred in administering investments and loans under s. 24.61 from the gross
19 receipts of the fund to which the interest and income of the investment or loan will
20 be added. If the board delegates to the investment board the authority to invest part
21 or all of the moneys belonging to the trust funds, the investment board shall deduct
22 its expenses incurred in administering investments under s. 24.61 from the gross
23 receipts of the fund to which the interest and income of the investment will be added.

24 **SECTION 690.** 24.63 (4) of the statutes is amended to read:

1 24.63 (4) REPAYMENT BEFORE DUE DATE PERMITTED. Any borrower after March 15
2 and prior to August 1 of any year may repay one or more instalments of a state trust
3 fund loan in advance of the due date, and all interest upon such advance payment
4 shall thereupon terminate. The board may charge a borrower who repays one or
5 more instalments of a loan a fee to cover any administrative costs incurred by the
6 board in originating and servicing the loan.

7 **SECTION 691.** 24.64 of the statutes is created to read:

8 **24.64 Reimbursements for certain administrative services.** The board
9 shall reimburse the department of administration, from the appropriation account
10 under s. 20.507 (1) (h), for the costs of administrative services provided by the
11 department of administration and other state agencies to the board.

12 **SECTION 694b.** 24.78 of the statutes is amended to read:

13 **24.78 Distribution of the common school fund income.** Under article X,
14 section 5, of the constitution the common school fund income shall be distributed to
15 the school districts among the several towns, villages and cities of the state for the
16 support of common schools therein, as provided in ~~ss. 44.72 (2) (a) and s.~~ 43.70.

17 **SECTION 694c.** 25.156 (2) of the statutes is amended to read:

18 25.156 (2) The investment board shall employ an executive director, who shall
19 serve outside the classified service. The executive director shall be qualified by
20 training and prior experience to manage, administer and direct the investment of
21 funds. The investment board shall fix the compensation of the executive director;
22 ~~and may award bonus compensation as authorized under sub. (6).~~

23 **SECTION 694g.** 25.156 (6) of the statutes is repealed.

24 **SECTION 694n.** 25.156 (7) of the statutes is repealed.

25 **SECTION 694r.** 25.16 (7) of the statutes is amended to read:

1 25.16 (7) The executive director shall fix the compensation of all employes
2 appointed by the executive director, subject to restrictions set forth in the
3 compensation plan under s. 230.12 or any applicable collective bargaining
4 agreement in the case of employes in the classified service, ~~but the investment board~~
5 ~~may provide for bonus compensation to employes in the unclassified service as~~
6 ~~authorized under s. 25.156 (6).~~

7 **SECTION 694s.** 25.16 (8) of the statutes is created to read:

8 25.16 (8) The executive director shall assign an investment professional to
9 assist the board of commissioners of public lands in establishing and maintaining
10 investment objectives with respect to the investment of the assets of the agricultural
11 college fund, the common school fund, the normal school fund and the university
12 fund. An amount equal to the cost of any services rendered to the board of
13 commissioners of public lands under this subsection shall be deducted from the gross
14 receipts of the fund to which the moneys invested belong and shall be credited to the
15 appropriation account under s. 20.536 (1) (k).

16 **SECTION 694w.** 25.165 (1) of the statutes is amended to read:

17 25.165 (1) There is created in the investment board an internal audit subunit,
18 under the supervision of the internal auditor. The internal auditor shall report
19 directly to the board and, subject to authorization under s. 16.505, shall appoint all
20 employes necessary to carry out the duties of the internal auditor. The internal
21 auditor shall appoint all employes outside the classified service, except blue collar
22 and clerical employes. The internal auditor shall fix the compensation of all
23 employes appointed by the internal auditor, subject to restrictions set forth in the
24 compensation plan under s. 230.12 or any applicable collective bargaining
25 agreement in the case of employes in the classified service, ~~but the investment board~~

1 ~~may provide for bonus compensation to employes in the unclassified service as~~
2 ~~authorized under s. 25.156 (6).~~

3 **SECTION 695b.** 25.17 (1) (ah) of the statutes is created to read:

4 25.17 (1) (ah) Agricultural college fund (s. 24.82), but subject to the terms of
5 delegation under s. 24.61 (2) (c);

6 **SECTION 695g.** 25.17 (1) (ai) of the statutes is created to read:

7 25.17 (1) (ai) Air quality improvement fund (s. 25.97);

8 **SECTION 695m.** 25.17 (1) (ax) of the statutes is created to read:

9 25.17 (1) (ax) Common school fund (s. 24.76), but subject to the terms of
10 delegation under s. 24.61 (2) (c);

11 **SECTION 697d.** 25.17 (1) (gf) of the statutes is created to read:

12 25.17 (1) (gf) Health insurance risk-sharing plan fund (s. 25.55);

13 **SECTION 697m.** 25.17 (1) (i) of the statutes is amended to read:

14 25.17 (1) (i) ~~Information technology investment~~ VendorNet fund (s. 25.61);

15 **SECTION 698.** 25.17 (1) (ka) of the statutes is created to read:

16 25.17 (1) (ka) Natural resources land endowment fund (s. 25.293);

17 **SECTION 698c.** 25.17 (1) (kd) of the statutes is created to read:

18 25.17 (1) (kd) Normal school fund (s. 24.80), but subject to the terms of
19 delegation under s. 24.61 (2) (c);

20 **SECTION 698m.** 25.17 (1) (tc) of the statutes is created to read:

21 25.17 (1) (tc) Tobacco control fund (s. 25.66);

22 **SECTION 699g.** 25.17 (1) (xLm) of the statutes is created to read:

23 25.17 (1) (xLm) University fund (s. 24.81), but subject to the terms of delegation
24 under s. 24.61 (2) (c);

25 **SECTION 699m.** 25.17 (1) (xm) of the statutes is created to read:

1 25.17 (1) (xm) Utility public benefits fund (s. 25.96);

2 **SECTION 699s.** 25.17 (1) (zm) of the statutes is amended to read:

3 25.17 (1) (zm) All other funds of the state or of any state department or
4 institution, ~~except funds which under article X of the constitution are controlled and~~
5 ~~invested by the board of commissioners of public lands,~~ funds which are required by
6 specific provision of law to be controlled and invested by any other authority, and
7 moneys in the ~~university~~ University of Wisconsin trust funds, and in the trust funds
8 of the state universities.

9 **SECTION 701m.** 25.186 of the statutes is created to read:

10 **25.186 Broker-dealers located in this state. (1)** In this section:

11 (a) “Broker-dealer” has the meaning given in s. 551.02 (3).

12 (b) “Securities trading brokerage commission” means any commission or fee
13 paid on or for a brokered security transaction, a purchase of a security or any other
14 kind of trade of a security.

15 (c) “Security” has the meaning given in s. 551.02 (13).

16 **(2)** (a) Of the total funds that are expended by the board for securities trading
17 brokerage commissions in any fiscal year, the board shall pay at least 5% of the total
18 funds in securities trading brokerage commissions to broker-dealers that are
19 licensed under s. 551.31, that are headquartered in this state and whose principal
20 business operations are located in this state.

21 (b) For the purpose of satisfying the requirement under par. (a), the board may
22 not include any securities trading brokerage commissions paid to minority financial
23 advisers and minority investment firms under s. 25.185.

24 **(3)** Annually, no later than September 30, the board shall submit a report to
25 the department of administration documenting the amount of moneys expended in

1 the preceding fiscal year by the board for securities trading brokerage commissions
2 and the amount of moneys paid in the preceding fiscal year for securities trading
3 brokerage commissions to broker–dealers under sub. (2) (a).

4 **SECTION 701p.** 25.187 of the statutes is created to read:

5 **25.187 Operating expenditures. (1)** In this section, “operating
6 expenditures” include all costs and expenses incurred by the investment board for
7 the purpose of operating the board and managing the assets of each fund for which
8 the board has management responsibility, but does not include costs or expenses
9 incurred under s. 25.18 (1) (a), (c), (f) or (m) or (2) (d) or (e) or 40.04 (3) (intro.).

10 **(2) (a)** Subject to pars. (b) and (c), on July 1 and January 1 of each year, the
11 investment board shall estimate the amounts required for its operating expenditures
12 for the next 6–month period and shall assess each fund for which the board has
13 management responsibility for its share of the estimated operating expenditures in
14 an equitable manner. The board shall pay the assessment from the current income
15 of each fund, unless an appropriation is made for payment of the assessment, in
16 which case the assessment shall be paid from that appropriation account.

17 **(b)** If the estimate of the amounts required for the board’s operating
18 expenditures for a 6–month period differs from its actual operating expenditures, the
19 board shall adjust the estimate of the amounts required for its operating
20 expenditures for the next 6–month period to reflect the difference between its
21 estimated operating expenditures and actual operating expenditures for the prior
22 6–month period.

23 **(c) 1.** Except as provided in subd. 2., the total amount that the board may assess
24 the funds for which the board has management responsibility for any fiscal year may

1 not exceed the greater of \$17,720,500 or 0.0275% of the total market value of the
2 assets of the funds on April 30 of the preceding fiscal year.

3 2. In addition to the amount assessed under subd. 1., the board may assess the
4 funds for which the board has management responsibility for any fiscal year up to
5 an additional 0.0025% of the total market value of the assets of the funds on April
6 30 of the preceding fiscal year if the board notifies the joint committee on finance in
7 writing of the proposed assessment. If the cochairpersons of the committee do not
8 notify the board that the committee has scheduled a meeting for the purpose of
9 reviewing the proposed assessment within 14 working days after the date of the
10 board's notification, the board may make the assessment. If, within 14 working days
11 after the date of the board's notification, the cochairpersons of the committee notify
12 the board that the committee has scheduled a meeting for the purpose of reviewing
13 the proposed assessment, the board may make the assessment only upon approval
14 of the committee.

15 3. For the purposes of this paragraph, the board shall do all of the following:

16 a. Determine the total market value of the assets of the funds according to the
17 methodology used to determine the market value of the fixed retirement investment
18 trust under s. 25.17 (14).

19 b. Annually, certify to the department of administration and to the joint
20 committee on finance the total market value of the assets of the funds on April 30 no
21 later than June 15.

22 **(3)** The investment board shall transmit a notice of each assessment to each
23 fund at the time that the assessment is made, and shall transmit a statement of the
24 board's actual expenditures for management of each fund at the close of each fiscal
25 year both to the state agency having primary responsibility for expenditure of

1 principal or earnings of the fund and to the department of administration or, if there
2 is no state agency, only to the department of administration.

3 **SECTION 702.** 25.29 (1) (a) of the statutes is amended to read:

4 25.29 (1) (a) Except as provided in s. ss. 25.293 and 25.295, all moneys accruing
5 to the state for or in behalf of the department under chs. 26, 27, 28, 29 and 350,
6 subchs. I and VI of ch. 77 and ss. 23.09 to 23.31, 23.325 to 23.42, 23.50 to 23.99, 30.50
7 to 30.55, 70.58 ~~and~~, 71.10 (5) and 71.30 (10), including grants received from the
8 federal government or any of its agencies except as otherwise provided by law.

9 **SECTION 702g.** 25.29 (3m) of the statutes is created to read:

10 25.29 (3m) (a) The total amount that the department may expend for a given
11 fiscal year from the fish and wildlife account of the conservation fund for
12 administrative costs may not exceed 16% of the expenditures from that account for
13 that fiscal year.

14 (b) For purposes of par. (a), administrative costs consist of the costs incurred
15 in the administration of the department and its divisions and bureaus, in providing
16 support services for the department and in the issuance of licenses and other
17 approvals by the department.

18 **SECTION 702m.** 25.29 (7) (intro.) of the statutes is amended to read:

19 25.29 (7) (intro.) All of the proceeds of the tax which is levied under s. 70.58,
20 and all moneys paid into the state treasury as the counties' share of compensation
21 of emergency fire wardens under s. 26.14 shall be used for acquiring, preserving and
22 developing the forests of the state, including the acquisition of lands owned by
23 counties by virtue of any tax deed and of other lands suitable for state forests, and
24 for the development of lands so acquired and the conduct of forestry thereon,
25 including the growing and planting of trees; for forest and marsh fire prevention and

1 control; for grants to forestry cooperatives under s. 36.56; for compensation of
2 emergency fire wardens; for maintenance, permanent property and forestry
3 improvements; for other forestry purposes authorized by law and for the payment of
4 aid for forests as authorized in s. 28.11 and subchs. I and VI of ch. 77.

5 **SECTION 703.** 25.293 of the statutes is created to read:

6 **25.293 Natural resources land endowment fund.** There is established a
7 separate nonlapsible trust fund designated as the natural resources land
8 endowment fund, to consist of:

9 (1) All gifts, grants or bequests made to the natural resources land endowment
10 fund. The department of natural resources may convert any noncash gift, grant or
11 bequest into cash for deposit into the fund.

12 (2) All interest and other income generated from these gifts, grants and
13 bequests.

14 **SECTION 704.** 25.40 (1) (a) 18. of the statutes is created to read:

15 25.40 (1) (a) 18. Moneys received under s. 85.12 that are deposited in the
16 general fund and credited to the appropriation account under s. 20.395 (5) (dk) or
17 (dL).

18 **SECTION 704mh.** 25.40 (1) (fm) of the statutes is created to read:

19 25.40 (1) (fm) All moneys received as fees under s. 101.9208 (1), except fees
20 received under s. 101.9208 (1) (b).

21 **SECTION 704pd.** 25.40 (2) (b) 19g. of the statutes is created to read:

22 25.40 (2) (b) 19g. Section 20.143 (3) (sa).

23 **SECTION 706q.** 25.43 (1) (h) of the statutes is amended to read:

24 25.43 (1) (h) The fees imposed under ss. 281.58 (9) (d), 281.595 (11m) and
25 281.60 (11m).

1 **SECTION 706s.** 25.43 (2) (c) of the statutes is amended to read:

2 25.43 **(2)** (c) The department of administration may establish and change
3 accounts in the environmental improvement fund other than those under pars. (a),
4 (ae), (am) and (b). The department of administration shall consult the department
5 of natural resources before establishing or changing an account that is needed to
6 administer the programs under ss. 281.58, 281.59, 281.595 and ~~or~~ 281.61.

7 **SECTION 707.** 25.43 (3) of the statutes is amended to read:

8 25.43 **(3)** Except for the purpose of investment as provided in s. 25.17 (2) (d),
9 the environmental improvement fund may be used only for the purposes authorized
10 under ss. 20.320 (1) (r), (s), (sm), (t), (x) and (y) ~~and~~, (2) (s) and (x) and (3) (q), 20.370
11 (4) (mt), (mx) and (nz), (8) (mr) and (9) (mt), (mx) and (ny), 20.505 (1) (v), (x) and (y),
12 281.58, 281.59, 281.595, 281.60, 281.61 and 281.62.

13 **SECTION 708.** 25.46 (1r) of the statutes is created to read:

14 25.46 **(1r)** The moneys transferred from the Wisconsin development reserve
15 fund under 1999 Wisconsin Act (this act), section 9225 (1).

16 **SECTION 711.** 25.46 (12) of the statutes is created to read:

17 25.46 **(12)** The funds transferred under s. 292.65 (11).

18 **SECTION 711m.** 25.46 (19) of the statutes is amended to read:

19 25.46 **(19)** The environmental impact fee fees imposed under s. ss. 101.9208 (1)
20 (b) and 342.14 (1r) for environmental management.

21 **SECTION 712.** 25.465 (8) of the statutes is amended to read:

22 25.465 **(8)** The fees collected under s. 94.72 (5) (b) and (6) (a) 1. and 2. and (i).

23 **SECTION 713.** 25.47 of the statutes is renumbered 25.47 (intro.) and amended
24 to read:

1 **25.47 Petroleum inspection fund.** (intro.) There is established a separate
2 nonlapsible trust fund designated as the petroleum inspection fund, to consist of the:

3 (1) The fees imposed under s. 168.12 (1), the,

4 (2) The payments under s. 101.143 (4) (h) 1m., the

5 (3) The payments under s. 101.143 (5) (a) and the,

6 (4) The net recoveries under s. 101.143 (5) (c).

7 **SECTION 714c.** 25.47 (1m) of the statutes is created to read:

8 25.47 **(1m)** Any fees imposed under s. 101.143 (2) (em) 1.

9 **SECTION 715.** 25.47 (5) of the statutes is created to read:

10 25.47 **(5)** The moneys transferred from the appropriation account under s.
11 20.143 (3) (s).

12 **SECTION 715e.** 25.47 (6) of the statutes is created to read:

13 25.47 **(6)** The net proceeds of revenue obligations issued under s. 101.143 (9m)
14 that are transferred from a separate and distinct fund outside the state treasury, in
15 an account maintained by a trustee, under s. 18.562 (3) and (5) (e).

16 **SECTION 716.** 25.48 of the statutes is amended to read:

17 **25.48 Dry cleaner environmental response fund.** There is established a
18 separate nonlapsible trust fund designated as the dry cleaner environmental
19 response fund, to consist of the moneys required under s. 77.9964 (3) to be deposited
20 in the fund and moneys collected under ss. 292.65 (8m) and (9) (c).

21 **SECTION 716m.** 25.49 (3) of the statutes is created to read:

22 25.49 **(3)** The fees imposed under s. 289.645.

23 **SECTION 717.** 25.50 (1) (d) of the statutes is amended to read:

24 25.50 **(1)** (d) “Local government” means any county, town, village, city, power
25 district, sewerage district, drainage district, town sanitary district, public inland

1 lake protection and rehabilitation district, local professional baseball park district
2 created under subch. III of ch. 229, family care district under s. 46.2895, public
3 library system, school district or technical college district in this state, any
4 commission, committee, board or officer of any governmental subdivision of this
5 state, any court of this state, other than the court of appeals or the supreme court,
6 or any authority created under s. 231.02, 233.02 or 234.02.

7 **SECTION 717d.** 25.55 of the statutes is created to read:

8 **25.55 Health insurance risk-sharing plan fund.** There is established a
9 separate nonlapsible trust fund designated as the health insurance risk-sharing
10 plan fund, to consist of:

11 (1) All moneys appropriated under s. 20.435 (4) (af).

12 (2) All moneys appropriated under s. 20.435 (4) (ah).

13 (3) Insurer assessments under ch. 149.

14 (4) Premiums paid by eligible persons under ch. 149.

15 **SECTION 717g.** 25.61 of the statutes is amended to read:

16 **25.61 ~~Information technology investment~~ VendorNet fund.** There is
17 created a separate nonlapsible trust fund designated as the ~~information technology~~
18 ~~investment~~ VendorNet fund consisting of all revenues accruing to the state from fees
19 assessed under ss. 16.701 and 16.702 and from gifts, grants and bequests made for
20 ~~information technology development~~ the purposes of ss. 16.701 and 16.702 and
21 moneys transferred to the fund from other funds.

22 **SECTION 717r.** 25.61 of the statutes, as affected by 1995 Wisconsin Act 351,
23 section 4m, 1997 Wisconsin Act 36, section 5, and 1999 Wisconsin Act (this act),
24 is repealed and recreated to read:

1 **25.61 VendorNet fund.** There is created a separate nonlapsible trust fund
2 designated as the VendorNet fund consisting of all revenues accruing to the state
3 from fees assessed under s. 16.701 and from gifts, grants and bequests made for the
4 purposes of s. 16.701 and moneys transferred to the fund from other funds.

5 **SECTION 717t.** 25.66 of the statutes is created to read:

6 **25.66 Tobacco control fund. (1)** There is created a separate nonlapsible
7 trust fund, known as the tobacco control fund, to consist of the following:

8 (a) The first \$2,492,000 of the moneys received in fiscal year 1999–2000 under
9 the Attorneys General Master Tobacco Settlement Agreement of
10 November 23, 1998.

11 (b) Beginning in fiscal year 2000–01, the first \$23,500,000 of the moneys
12 received each year under the Attorneys General Master Tobacco Settlement
13 Agreement of November 23, 1998.

14 **(2)** Amounts in the fund may be distributed for the purposes specified in s.
15 255.15.

16 **SECTION 717xa.** 25.75 (1) (b) of the statutes is amended to read:

17 25.75 **(1) (b)** “Gross lottery revenues” means gross revenues from the sale of
18 lottery tickets and lottery shares under ch. 565 and revenues from the imposition of
19 fees, if any, under s. 565.10 (8) ~~and includes compensation, including bonuses, if any,~~
20 ~~paid to retailers under s. 565.10 (14), regardless of whether the compensation is~~
21 ~~deducted by the retailer prior to transmitting lottery ticket and lottery share~~
22 ~~revenues to the commission.~~

23 **SECTION 717xb.** 25.75 (1) (b) of the statutes, as affected by 1999 Wisconsin Act
24 (this act), is repealed and recreated to read:

1 25.75 (1) (b) “Gross lottery revenues” means gross revenues from the sale of
2 lottery tickets and lottery shares under ch. 565 and revenues from the imposition of
3 fees, if any, under s. 565.10 (8) and includes compensation, including bonuses, if any,
4 paid to retailers under s. 565.10 (14), regardless of whether the compensation is
5 deducted by the retailer prior to transmitting lottery ticket and lottery share
6 revenues to the commission.

7 **SECTION 717xf.** 25.75 (1) (c) 3. of the statutes is repealed.

8 **SECTION 717xg.** 25.75 (1) (c) 3. of the statutes is created to read:

9 25.75 (1) (c) 3. Amounts for other expenses including compensation paid to
10 retailers under s. 565.10 (14) and amounts paid to vendors for on–line services and
11 supplies provided by the vendors under contract under s. 565.25 (2) (a).

12 **SECTION 717xh.** 25.75 (2) of the statutes, as affected by 1999 Wisconsin Act 5,
13 is amended to read:

14 25.75 (2) CREATION. There is created a separate nonlapsible trust fund known
15 as the lottery fund, to consist of gross lottery revenues received by the department
16 of revenue and moneys transferred to the lottery fund under ss. 20.455 (2) (g) and
17 20.505 (8) (am), (g) and (jm) and 1999 Wisconsin Act (this act), section 9243 (2c).

18 **SECTION 717xi.** 25.75 (3) (b) of the statutes is repealed.

19 **SECTION 717xj.** 25.75 (3) (b) of the statutes is created to read:

20 25.75 (3) (b) *Expenses.* No more than an amount equal to 10% of gross lottery
21 revenues for each year may be expended to pay the expenses for the operation and
22 administration of the lottery, except that expenses for the operation and
23 administration of the lottery may exceed 10% of gross lottery revenues if so approved
24 by the joint committee on finance under s. 13.10. In computing expenses subject to
25 the 10% limitation under this paragraph:

1 1. Compensation paid to retailers under s. 565.10 (14) shall not be included.

2 2. Capital expenditures may be amortized.

3 3. Payments to vendors for on–line services and supplies provided by the
4 vendors under contract under s. 565.25 (2) (a) shall be included.

5 4. Moneys appropriated from the lottery fund under s. 20.455 (2) (r) shall not
6 be included.

7 **SECTION 717yn.** 25.75 (3) (e) of the statutes is created to read:

8 25.75 (3) (e) From the appropriation under s. 20.566 (2) (r), lottery proceeds
9 shall be used to offset department of revenue expenses in administering the lottery
10 credit.

11 **SECTION 717ym.** 25.75 (3) (e) of the statutes, as affected by 1999 Wisconsin Act
12 5, is repealed.

13 **SECTION 718.** 25.80 of the statutes is amended to read:

14 **25.80 Tuition trust fund.** There is established a separate nonlapsible trust
15 fund designated as the tuition trust fund, consisting of all revenue from enrollment
16 fees and the sale of tuition units under s. ~~16.24~~ 14.63.

17 **SECTION 718b.** 25.96 of the statutes is created to read:

18 **25.96 Utility public benefits fund.** There is established a separate
19 nonlapsible trust fund designated as the utility public benefits fund, consisting of
20 deposits by the public service commission under s. 196.374 (3), public benefits fees
21 received under s. 16.957 (4) (a) and (5) (c) and (d) and contributions received under
22 s. 16.957 (2) (c) 4. and (d) 2.

23 **SECTION 718d.** 25.97 of the statutes is created to read:

24 **25.97 Air quality improvement fund.** There is established a separate
25 nonlapsible trust fund designated as the air quality improvement fund, consisting

1 of all moneys transferred under s. 16.958 (2) (a) and all moneys deposited under s.
2 196.86 (3).

3 **SECTION 718g.** 26.08 (2) (a) of the statutes is amended to read:

4 26.08 (2) (a) Except as provided under pars. (b) and ~~(c)~~ to (d), the department
5 may lease state park land or state forest land for terms not exceeding 15 years.

6 **SECTION 718r.** 26.08 (2) (d) of the statutes is created to read:

7 26.08 (2) (d) The department may lease Northern Highland American Legion
8 State Forest land on Statehouse Lake in the town of Manitowish Waters for the
9 North Lakeland Discovery Center for a term not exceeding 30 years.

10 **SECTION 719.** 26.145 (4) of the statutes is repealed.

11 **SECTION 720d.** 27.01 (7) (a) 3. of the statutes is amended to read:

12 27.01 (7) (a) 3. In this subsection “vehicle admission area” means the Bong area
13 lands acquired under s. 23.09 (13), the Wisconsin Dells natural area, the Point Beach
14 state forest, recreational areas in other state forests designated as such by the
15 department, designated use zones within recreation areas established under s.
16 23.091 (3), and any state park or roadside park except those specified in par. (c) 5.

17 **SECTION 720g.** 27.01 (15) (title) of the statutes is repealed and recreated to
18 read:

19 27.01 (15) (title) CERTAIN TYPES OF CAMPSITES.

20 **SECTION 720m.** 27.01 (15) of the statutes is renumbered 27.01 (15) (b) and
21 amended to read:

22 27.01 (15) (b) ~~The department shall maintain a ratio of~~ number of state park
23 campsites with an electric receptacle ~~to~~ receptacles shall be maintained by the
24 department so that not more than 25% of all state park campsites ~~that is equal to or~~

1 ~~less than the ratio which exists on April 26, 1988~~ have electric receptacles and not
2 less than 25% of all state park campsites are rustic state park campsites.

3 **SECTION 720r.** 27.01 (15) (a) of the statutes is created to read:

4 27.01 (15) (a) In this subsection:

5 1. “Rustic state park campsite” means a state park campsite in a campground
6 that meets all of the requirements that are promulgated by rule by the department
7 for campgrounds that do not provide modern facilities such as electrical receptacles,
8 flush-type toilets and showers.

9 2. “State park campsite” means a campsite that is located in a state park.

10 **SECTION 722.** 28.05 (1) of the statutes is amended to read:

11 28.05 (1) LIMITATIONS. Cutting shall be limited to trees marked or designated
12 for cutting by a forester in the professional series of the state classified civil service
13 or by a department–designated employe equally qualified by reason of long, practical
14 experience. The department may sell products removed in cultural or salvage
15 cuttings and standing timber designated in timber sale contracts, but all sales shall
16 be based on tree scale or on the scale, measure or count of the cut products. The
17 department may require that a person purchasing products or standing timber
18 under a timber sale contract provide surety for the proper performance of the
19 contract either directly or through a bond furnished by a surety company authorized
20 to do business in this state.

21 **SECTION 722e.** 28.05 (2) of the statutes is amended to read:

22 28.05 (2) PROCEDURE. Sales of cut products or stumpage having an estimated
23 value of \$1,000 \$3,000 or more shall be by public sale after 2 publications of a
24 classified advertisement announcing the sale in a newspaper having general

1 circulation in the county in which the timber to be sold is located. Sales with an
2 estimated value of ~~\$2,500~~ \$3,000 or more requires approval by the secretary.

3 **SECTION 722m.** 28.11 (6) (b) 1. of the statutes is amended to read:

4 28.11 **(6)** (b) 1. Any timber sale with an estimated value of ~~\$1,000~~ \$3,000 or
5 more shall be by sealed bid or public sale after publication of a classified
6 advertisement announcing the sale in a newspaper having general circulation in the
7 county in which the timber to be sold is located. Any timber sale with an estimated
8 value below ~~\$1,000~~ \$3,000 may be made without prior advertising. Any timber sale
9 with an estimated value of ~~\$2,500~~ \$3,000 or more requires approval of the secretary.

10 **SECTION 722s.** 28.22 of the statutes is amended to read:

11 **28.22 Timber sales; community forests.** Any timber sale from a community
12 forest shall be based on the scale, measure or count of the cut products. Any timber
13 sale with an estimated value of ~~\$1,000~~ \$3,000 or more shall be by public sale after
14 2 publications of a classified advertisement announcing the sale in a newspaper
15 having general circulation in the county in which the timber to be sold is located.

16 **SECTION 722t.** 29.001 (28) of the statutes is created to read:

17 29.001 **(28)** “Food distribution service” means a program that provides food or
18 serves meals directly to individuals with low incomes or to elderly individuals, or
19 that collects and distributes food to persons who provide food or serve meals directly
20 to these individuals.

21 **SECTION 722te.** 29.024 (2g) (a) (intro.) of the statutes is amended to read:

22 29.024 **(2g)** (a) *Social security numbers required.* (intro.) ~~The~~ Except as
23 provided in par. (am), the department shall require an applicant who is an individual
24 to provide his or her social security number as a condition of applying for, or applying
25 to renew, any of the following approvals:

1 **SECTION 722tg.** 29.024 (2g) (a) 1. of the statutes is amended to read:

2 29.024 **(2g)** (a) 1. Any license issued under this chapter except for any group
3 fishing license issued under s. 29.193 (5).

4 **SECTION 722tm.** 29.024 (2g) (am) of the statutes is created to read:

5 29.024 **(2g)** (am) *Social security numbers exceptions.* If an applicant who is an
6 individual does not have a social security number, the applicant, as a condition of
7 applying for, or applying to renew, an approval specified in par. (a) 1. to 3., shall
8 submit a statement made or subscribed under oath or affirmation to the department
9 that the applicant does not have a social security number. The form of the statement
10 shall be prescribed by the department of workforce development. An approval issued
11 by the department of natural resources in reliance on a false statement submitted
12 by an applicant under this paragraph is invalid.

13 **SECTION 722ts.** 29.024 (2g) (d) 2. of the statutes is amended to read:

14 29.024 **(2g)** (d) 2. As provided in the memorandum of understanding required
15 under s. 49.857 (2), the department shall deny an application to issue or renew an
16 approval specified in par. (a) 1. to 3. if the applicant for or the holder of the approval
17 fails to provide his or her social security number as required under par. (a), unless
18 the applicant is an individual who does not have a social security number and who
19 submits a statement made or subscribed under oath or affirmation as required under
20 par. (am).

21 **SECTION 722u.** 29.024 (2g) (e) of the statutes is created to read:

22 29.024 **(2g)** (e) *Alternative to providing social security numbers.* If the federal
23 government allows a method under the system under s. 49.857 (2) for purposes of
24 administering this subsection that does not require the use of social security
25 numbers of individuals applying for or holding approvals, other than the method

1 under par. (am) for submitting a statement made or subscribed under oath or
2 affirmation that the individual does not have a social security number, the
3 department shall request that the legislative reference bureau prepare legislation
4 that allows compliance with that method and that eliminates the requirement that
5 individuals provide their social security numbers under the system. The secretary
6 shall submit the proposed legislation to the standing committee of each house of the
7 legislature that has jurisdiction over fish and wildlife matters under s. 13.172 (3).

8 **SECTION 722ue.** 29.024 (2r) (a) (intro.) of the statutes is amended to read:

9 29.024 (2r) (a) *Social security and identification numbers required.* (intro.)

10 The Except as provided in par. (am), the department shall require an applicant who
11 is an individual to provide his or her social security number and an applicant who
12 is not an individual to provide the applicant's federal employer identification number
13 as a condition of applying for, or applying to renew, any of the following approvals:

14 **SECTION 722um.** 29.024 (2r) (am) of the statutes is created to read:

15 29.024 (2r) (am) *Social security and identification numbers exceptions.* If an
16 applicant who is an individual does not have a social security number, the applicant,
17 as a condition of applying for, or applying to renew, any of the approvals specified in
18 par. (a) 1. to 21., shall submit a statement made or subscribed under oath or
19 affirmation to the department that the applicant does not have a social security
20 number. The form of the statement shall be prescribed by the department of
21 workforce development. An approval issued by the department of natural resources
22 in reliance on a false statement submitted by an applicant under this paragraph is
23 invalid.

24 **SECTION 722us.** 29.024 (2r) (d) of the statutes is renumbered 29.024 (2r) (d) 1.

25 and amended to read:

1 29.024 (2r) (d) 1. ~~The~~ Except as provided in subd. 2., the department shall deny
2 an application to issue or renew, or revoke if already issued, an approval specified
3 in par. (a) if the applicant for or the holder of the approval fails to provide the
4 information required under par. (a) or if the department of revenue certifies that the
5 applicant or approval holder is liable for delinquent taxes under s. 73.0301.

6 **SECTION 722ut.** 29.024 (2r) (d) 2. of the statutes is created to read:

7 29.024 (2r) (d) 2. The department may not deny an application under subd. 1.
8 for the reason that the applicant failed to provide his or her social security number,
9 if the applicant is an individual who submitted a statement made or subscribed
10 under oath or affirmation as required under par. (am).

11 **SECTION 722v.** 29.024 (6) (a) 4. of the statutes is created to read:

12 29.024 (6) (a) 4. Contract with persons who are not employes of the department
13 to operate a statewide automated system for issuing approvals.

14 **SECTION 723.** 29.024 (6) (am) of the statutes is created to read:

15 29.024 (6) (am) In reserving deer hunting back tag numbers, the department
16 may do any of the following:

17 1. Directly reserve the numbers.

18 2. Appoint, as an agent of the department, the clerk of one or more counties to
19 reserve the numbers.

20 3. Appoint, as agents of the department, persons who are not employes of the
21 department to reserve the numbers.

22 **SECTION 724.** 29.024 (6) (b) of the statutes is amended to read:

23 29.024 (6) (b) The clerk of each county appointed under par. (a) 2. or (am) 2. may
24 accept the appointment.

25 **SECTION 725.** 29.024 (6) (d) of the statutes is amended to read:

1 29.024 **(6)** (d) The department may promulgate rules regulating the activities
2 of persons appointed under ~~par. pars.~~ (a) 2. and 3. and 4. and (am) 2. and 3.

3 **SECTION 725g.** 29.164 (3) (ci) of the statutes is created to read:

4 29.164 **(3)** (ci) *Fourth preference.* The department shall create a 4th preference
5 category in issuing wild turkey hunting licenses to applicants who are qualified
6 nonresident landowners. For purposes of this paragraph, a qualified nonresident
7 landowner is a person who is not a resident and who owns at least 50 acres in one
8 parcel in an established wild turkey hunting zone and who agrees to allow other
9 persons to hunt wild turkeys on that land if those persons first obtain permission to
10 hunt from the landowner. If more than one individual is the landowner of a single
11 parcel of land, only one individual may be considered a qualified nonresident
12 landowner.

13 **SECTION 725r.** 29.164 (3) (cm) of the statutes is amended to read:

14 29.164 **(3)** (cm) *Fourth Fifth preference.* The department shall create a 4th 5th
15 preference category in issuing wild turkey hunting licenses to all other nonresident
16 applicants ~~who are not resident applicants.~~

17 **SECTION 726.** 29.181 (2m) (intro.) of the statutes is amended to read:

18 29.181 **(2m)** RESIDENT FARM OWNER. (intro.) If the department determines that
19 for a deer management area the number of available bonus deer hunting permits for
20 a single season will exceed the number of applications submitted, the department
21 may authorize by rule the issuance of one or more bonus deer hunting permits to a
22 resident without the resident having to pay any fee, including any processing or
23 issuing fee, if the resident meets all of the following requirements:

24 **SECTION 726c.** 29.184 (2) (a) of the statutes is renumbered 29.184 (2).

25 **SECTION 726e.** 29.184 (2) (b) of the statutes is repealed.

1 **SECTION 726j.** 29.184 (6) (b) of the statutes is amended to read:

2 29.184 (6) (b) *Cumulative preference system; random selection.* If the number
3 of qualified applications for Class A bear licenses exceeds the number of available
4 licenses, the department shall select applicants to be issued Class A bear licenses
5 based upon a cumulative preference system. This system shall establish preference
6 categories for those applicants who applied for but who were not issued Class A bear
7 licenses or bear harvest permits under s. 29.1085 (3) (b), 1993 stats., in the previous
8 season, with higher priority given to those categories with more preference points
9 than those with fewer preference points. For each season, the department shall
10 allow each applicant under the system to apply for a preference point or for a license.
11 The department shall give a preference point to each applicant who applies for a
12 ~~given season and~~ preference point and to each applicant who applies for a license but
13 ~~who is not selected or who is selected but declines to pay the required fee for a Class A~~
14 ~~bear license.~~ Applicants who fail to apply for either a preference point or a license
15 at least once during any 3 consecutive years shall lose all previously accumulated
16 preference points. If the number of applicants within a preference category exceeds
17 the number of Class A bear licenses available in the category, the department shall
18 select at random the applicants to be issued licenses within the preference category.

19 **SECTION 726k.** 29.184 (6) (c) (title) of the statutes is amended to read:

20 29.184 (6) (c) (title) *Notification, issuance; payment fees.*

21 **SECTION 726L.** 29.184 (6) (c) 1. of the statutes is renumbered 29.184 (6) (c) 1r.
22 and amended to read:

23 29.184 (6) (c) 1r. The department shall issue a notice of approval to those
24 qualified applicants selected to receive a Class A bear license. A person who receives

1 a notice of approval and who pays the ~~required fee~~ fees required for the license shall
2 be issued the license subject to s. ~~29.09 (11m)~~ 29.024 (2g).

3 **SECTION 726n.** 29.184 (6) (c) 1g. of the statutes is created to read:

4 29.184 (6) (c) 1g. A person who applies for a preference point or a license under
5 par. (a) shall pay the processing fee under s. 29.553 at the time of application.

6 **SECTION 726p.** 29.184 (6) (c) 2. of the statutes is amended to read:

7 29.184 (6) (c) 2. A Class B bear license shall be issued subject to s. ~~29.024 (11m)~~
8 (2g) by the department to any resident who applies for this license.

9 **SECTION 727.** 29.184 (9) (a) of the statutes is amended to read:

10 29.184 (9) (a) The department shall issue a back tag to each person who is
11 issued a Class A bear license, ~~and the department or county clerk shall issue a back~~
12 ~~tag to each person who is issued~~ or a Class B bear license.

13 **SECTION 727m.** 29.193 (5) of the statutes is created to read:

14 29.193 (5) GROUP FISHING LICENSE FOR THE DEVELOPMENTALLY DISABLED. (a)
15 “Developmental disability” has the meaning given in s. 51.01 (5) (a).

16 (b) The department shall issue one-day group fishing licenses to groups
17 consisting of individuals with developmental disabilities and their caregivers. Not
18 more than 12 individuals may fish under the privilege conferred by each license.

19 **SECTION 728.** 29.229 (4) (f) of the statutes is amended to read:

20 29.229 (4) (f) Sections 29.024 (3), (4) (b), (5) (b), (7), (8) and (9), 29.559 (2) ~~and~~
21 ~~(3)~~ and 29.564 do not apply to any approval that may be issued under this section.

22 **SECTION 728g.** 29.229 (5m) (b) of the statutes is amended to read:

23 29.229 (5m) (b) The band is requested to enact tribal laws or ordinances that
24 require each person who has a social security number, as a condition of being issued
25 an approval under this section, to provide to the band his or her social security

1 number, tribal laws or ordinances that require each person who does not have a social
2 security number, as a condition of being issued an approval under this section, to
3 provide to the band a statement made or subscribed under oath or affirmation on a
4 form prescribed by the department of workforce development that the person does
5 not have a social security number, and tribal laws or ordinances that prohibit the
6 disclosure of that number by the band to any other person except to the department
7 of workforce development for the purpose of administering s. 49.22.

8 **SECTION 728h.** 29.229 (5m) (c) of the statutes is amended to read:

9 29.229 **(5m)** (c) The band is requested to enact tribal laws or ordinances that
10 deny an application to issue or renew, suspend if already issued or otherwise
11 withhold or restrict an approval issued under this section if the applicant for or the
12 holder of the approval fails to provide the information required under tribal laws or
13 ordinances enacted under par. (b) or fails to comply, after appropriate notice, with a
14 subpoena or warrant issued by the department of workforce development or a county
15 child support agency under s. 59.53 (5) and related to paternity or child support
16 proceedings or if the department of workforce development certifies that the
17 applicant for or the holder of the approval has failed to pay court-ordered payments
18 of child or family support, maintenance, birth expenses, medical expenses or other
19 expenses related to the support of a child or former spouse. The band is also
20 requested to enact tribal laws or ordinance that invalidate an approval issued under
21 this subsection if issued in reliance upon a statement made or subscribed under oath
22 or affirmation under tribal laws or ordinances enacted under par. (b) that is false.

23 **SECTION 729.** 29.2295 (4) (c) of the statutes is created to read:

24 29.2295 **(4)** (c) 1. The department shall make the payments under this
25 subsection from the appropriation under s. 20.370 (9) (hk).

1 2. If the amount appropriated under s. 20.370 (9) (hk) is insufficient to make
2 all of the payments under this subsection, the department shall make the remaining
3 payments from the appropriation under s. 20.370 (9) (ht).

4 **SECTION 730f.** 29.319 of the statutes is created to read:

5 **29.319 Falconry regulation. (1)** In regulating falconry and the taking of
6 raptors for use in falconry, the department may do any of the following:

7 (a) Establish by rule a fee for any approval that it issues as part of this
8 regulation.

9 (b) Allow persons who are not residents to take raptors from the wild to be used
10 for falconry, but only if all of the following apply:

11 1. The person holds an approval, issued by the department, that authorizes the
12 taking of raptors for use in falconry.

13 2. The person holds an approval, issued by the state, province or country of
14 which he or she is a resident, that authorizes the taking of raptors for use in falconry.

15 3. The state, province or country of which the person is a resident allows
16 residents of this state to take raptors from the wild in that state, province or country.

17 **(2)** Any fees collected by the department under this section shall be deposited
18 in the conservation fund to be used for department activities relating to fish and
19 wildlife.

20 **SECTION 730h.** 29.324 (2m) of the statutes is created to read:

21 29.324 **(2m)** (a) In this subsection, “group deer bow hunting party” means 2 or
22 more hunters hunting in a group all using bows and arrows, each of whom holds an
23 individual license to hunt deer.

1 (b) Beginning on April 1, 2000, any member of a group deer bow hunting party
2 may kill a deer for another member of the group deer bow hunting party if all of the
3 following conditions exist:

4 1. The deer is an antlerless deer.

5 2. At the time and place of the kill, the person who kills the antlerless deer is
6 in contact with the person for whom the antlerless deer is killed.

7 3. The person for whom the antlerless deer is killed possesses a current unused
8 deer carcass tag that is authorized for use on the antlerless deer killed.

9 (c) This subsection does not apply after March 31, 2002.

10 **SECTION 730j.** 29.324 (3) of the statutes is amended to read:

11 29.324 (3) A person who kills a deer under sub. (2) or (2m) shall ensure that
12 a member of his or her group deer hunting party without delay attaches a current
13 validated deer carcass tag to the deer in the manner specified under s. 29.347 (2).
14 The person who kills the deer may not leave the deer unattended until after it is
15 tagged.

16 **SECTION 730m.** 29.347 (2) of the statutes is amended to read:

17 29.347 (2) DEER TAGS. Except as provided under sub. (5) and s. 29.324 (3), any
18 person who kills a deer shall immediately attach to the ear or antler of the deer a
19 current validated deer carcass tag which is authorized for use on the type of deer
20 killed. Except as provided under sub. (2m) or s. 29.871 (7), (8) or (14) or 29.89 (6), no
21 person may possess, control, store or transport a deer carcass unless it is tagged as
22 required under this subsection. The carcass tag may not be removed before
23 registration. The removal of a carcass tag from a deer before registration renders the
24 deer untagged.

25 **SECTION 732.** 29.506 (7m) (a) of the statutes is amended to read:

1 29.506 **(7m)** (a) The department shall issue a taxidermy school permit to a
2 person who applies for the permit; who, on August 15, 1991, holds a valid
3 taxidermist permit issued under this section; and who, on August 15, 1991, operates
4 a taxidermy school approved by the educational approval board under s. 39.51 45.54.

5 **SECTION 733.** 29.556 (1) of the statutes is renumbered 29.556 (1m) and
6 amended to read:

7 29.556 **(1m)** In addition to any other fee imposed under s. 29.563, the
8 department may collect a handling fee ~~for the approvals that the department itself~~
9 ~~issues to cover long-distance handling costs and in-person credit transaction costs~~
10 incurred in issuing approvals.

11 **SECTION 733d.** 29.556 (1b) (a) of the statutes is created to read:

12 29.556 **(1b)** (a) “In –person credit transaction costs” means the costs associated
13 with issuing approvals that are applied for and issued in person and that are paid
14 for by using a credit card.

15 **SECTION 734.** 29.556 (2) of the statutes is renumbered 29.556 (2) (a) and
16 amended to read:

17 29.556 **(2)** (a) If the department collects a handling fee under sub. (1) (1m), it
18 shall promulgate rules to designate do all of the following:

19 1. Designate the approvals to which the fee applies ~~and to establish.~~

20 2. Establish the amounts amount of the fee. The

21 (c) A handling fee may not be more than the amounts necessary to cover the
22 long-distance handling costs or the in-person credit transaction costs of issuing the
23 approvals.

24 **(1b)** In this paragraph, “handling section:

1 **(b)** “Long–distance handling costs” ~~includes~~ means the costs associated with
2 paying for approvals that are requested by mail, telephone or electronic means and
3 includes credit transaction fees, mailing costs and personnel costs that are necessary
4 to process the a credit transaction.

5 **SECTION 735b.** 29.556 (2) (b) of the statutes is created to read:

6 **29.556 (2) (b) 1.** The department may collect long–distance handling costs and
7 in–person credit transaction costs for the approvals that the department itself
8 issues.

9 **2.** The department may allow a person with whom it has contracted under s.
10 29.024 (6) (a) 4. to collect handling fees that cover long–distance handling costs. The
11 department may allow the person to retain all or a portion of each handling fee.

12 **3.** The department may allow an agent who is appointed under s. 29.024 (6) (a)
13 2. or 3. to collect handling fees that cover in–person credit transaction costs. The
14 department may allow the agent to retain all or a portion of each handling fee.

15 **SECTION 736.** 29.556 (3) of the statutes is amended to read:

16 **29.556 (3)** Any fees collected under this section by the department shall be
17 credited to the appropriation account under s. 20.370 (9) (hu).

18 **SECTION 737.** 29.559 (1) of the statutes is amended to read:

19 **29.559 (1) COLLECTION OF ISSUING FEE.** Any person, including the department,
20 who issues any license or stamp under this chapter shall collect, in addition to the
21 statutory license or stamp fee, an issuing fee for each license and each stamp the
22 person issued. A person appointed under s. 29.024 (6) (a) 2. ~~or~~ 3. or 4. may retain
23 the amounts specified in sub. (3) 50 cents of each issuing fee for each license and 15
24 cents for each issuing fee of each stamp to compensate for services in issuing the
25 license or stamp.

1 **SECTION 738.** 29.559 (1r) of the statutes is created to read:

2 **29.559 (1r) COLLECTION OF ISSUING FEE FOR BONUS DEER HUNTING PERMITS.** (a)
3 Any person, including the department, who issues a bonus deer hunting permit shall
4 collect, in addition to the statutory permit fee, an issuing fee for each permit. A
5 person appointed under s. 29.024 (6) (a) 2., 3. or 4. may retain 50 cents of each issuing
6 fee for each permit to compensate for services in issuing the permit.

7 (b) The issuing fees received by the department for bonus deer hunting permits
8 under this section shall be credited to the appropriation account under s. 20.370 (5)
9 (fq).

10 **SECTION 739.** 29.559 (3) of the statutes is repealed.

11 **SECTION 740.** 29.561 of the statutes is created to read:

12 **29.561 Back tag number reservation fee. (1) COLLECTION OF FEE.** The
13 department shall establish a system under which the department shall reserve a
14 deer hunting back tag number for a person who pays a reservation fee. The
15 department may limit the number of back tag numbers that may be reserved under
16 this system. Upon payment of the fee each year, the department shall issue the same
17 back tag number to that person. Any person, including the department, who reserves
18 a back tag number shall collect, in addition to each reservation fee, an issuing fee of
19 50 cents.

20 **(2) HANDLING AND RETENTION OF FEES.** An issuing fee collected by any employe
21 of the department under this section shall be remitted to the department. An issuing
22 fee collected by a person appointed under s. 29.024 (6) (am) 2. or 3. may retain the
23 issuing fee to compensate for services in making the reservation.

24 **SECTION 753.** 29.563 (2) (c) 1. of the statutes is amended to read:

25 **29.563 (2) (c) 1.** Bonus deer: ~~\$12~~ \$11.25.

1 **SECTION 754.** 29.563 (2) (d) of the statutes is amended to read:

2 29.563 **(2)** (d) *Nonresident permit.* Bonus deer: ~~\$20~~ \$19.25.

3 **SECTION 760m.** 29.563 (3) (a) 7m. of the statutes is created to read:

4 29.563 **(3)** (a) 7m. One–day group fishing issued under s. 29.193 (5): \$24.25.

5 **SECTION 767.** 29.563 (9) (a) 2. of the statutes is amended to read:

6 29.563 **(9)** (a) 2. Pheasant and quail farm: ~~\$20~~ \$100.

7 **SECTION 768.** 29.563 (9) (a) 3. of the statutes is amended to read:

8 29.563 **(9)** (a) 3. Game bird and animal farm: ~~\$10~~ \$25.

9 **SECTION 769.** 29.563 (9) (a) 5. of the statutes is amended to read:

10 29.563 **(9)** (a) 5. Deer farm: ~~\$25~~ \$100.

11 **SECTION 770.** 29.563 (9) (a) 10. of the statutes is amended to read:

12 29.563 **(9)** (a) 10. Wildlife exhibit: ~~\$10~~ \$25.

13 **SECTION 771.** 29.563 (9) (b) of the statutes is amended to read:

14 29.563 **(9)** (b) *Late fee.* For a license for a pheasant and quail farm, game bird
15 and animal farm or fur animal farm, in addition to the regular fee: ~~\$10~~ \$20.

16 **SECTION 772.** 29.563 (9) (c) of the statutes is created to read:

17 29.563 **(9)** (c) *Surcharges.* For the following licenses, the following surcharges
18 in addition to the fees in pars. (a) and (b):

19 1. A license for a game bird and animal farm on which there are bear: \$25.

20 2. A license for a game bird and animal farm on which the licensee permits an
21 individual to hunt game birds for a fee: \$75.

22 3. A license for a game bird and animal farm on which the licensee permits an
23 individual to hunt grouse for a fee: \$25.

1 4. A license for a game bird and animal farm on which the licensee sells game
2 animals, the gross revenue from which is \$10,000 or more during the 12 months
3 immediately preceding the issuance of the license: \$25.

4 5. A license for a wildlife exhibit at which the licensee exhibits a bear or a
5 cougar: \$25.

6 **SECTION 773.** 29.563 (11) (b) 1. of the statutes is amended to read:

7 29.563 **(11)** (b) 1. Hunter education and firearm safety instruction fee: ~~\$3~~ the
8 fee as established by rule.

9 **SECTION 777.** 29.563 (14) (intro.) of the statutes is amended to read:

10 29.563 **(14)** PROCESSING, HANDLING, RESERVATION AND ISSUING FEES. (intro.) The
11 fees for processing, handling, reserving and issuing approvals are as follows:

12 **SECTION 777g.** 29.563 (14) (a) 1. of the statutes is amended to read:

13 29.563 **(14)** (a) 1. The processing fee for applications for approvals under the
14 cumulative preference systems for the hunter's choice deer hunting permit, bonus
15 deer hunting permit, wild turkey hunting license, Class A bear license, Canada goose
16 hunting permit, sharp-tailed grouse hunting permit, bobcat hunting and trapping
17 permit, otter trapping permit, fisher trapping permit or sturgeon fishing permit:
18 \$2.75.

19 **SECTION 778.** 29.563 (14) (bn) of the statutes is created to read:

20 29.563 **(14)** (bn) *Reservation fee.* Reservation fee for a deer hunting back tag
21 number: \$4.50.

22 **SECTION 779.** 29.563 (14) (c) 3. of the statutes is amended to read:

23 29.563 **(14)** (c) 3. Each application for a hunter's choice permit, bonus deer
24 hunting permit, wild turkey hunting license, Canada goose hunting permit,

1 sharp-tailed grouse hunting permit, bobcat hunting and trapping permit, otter
2 trapping permit, fisher trapping permit or sturgeon fishing permit: 25 cents.

3 **SECTION 780.** 29.563 (14) (c) 4. of the statutes is created to read:

4 29.563 (14) (c) 4. Each bonus deer hunting permit issued for which a fee is
5 charged under s. 29.563 (2) (c) 1. or (d): 75 cents.

6 **SECTION 781.** 29.563 (14) (c) 5. of the statutes is created to read:

7 29.563 (14) (c) 5. Each reservation for a deer hunting back tag number: 50
8 cents.

9 **SECTION 782.** 29.591 (3) of the statutes is amended to read:

10 29.591 (3) INSTRUCTION FEE. The department shall establish by rule the fee for
11 the course of instruction under the hunter education program and the bow hunter
12 education program. The instructor shall collect the this instruction fee specified
13 under s. 29.563 (11) (b) 1. from each person who receives instruction under the hunter
14 education program and the bow hunter education program and remit the fee to the
15 department. ~~The department may authorize an instructor under either program to~~
16 ~~retain 50%~~ determine the portion of this fee, which may not exceed 50%, that the
17 instructor may retain to defray expenses incurred by the instructor in conducting the
18 course. The instructor shall remit the ~~remaining portion~~ remainder of the fee or, if
19 nothing is retained, the entire fee to the department.

20 **SECTION 782m.** 29.598 of the statutes is created to read:

21 **29.598 Outdoors skills training. (1) PROGRAM COORDINATION.** The
22 department and the board of regents of the University of Wisconsin System shall
23 enter into an agreement with an established national organization that provides
24 training to persons who are interested in learning about the outdoor skills needed

1 by women to hunt, fish, camp, canoe and undertake other outdoor recreational
2 activities in order to provide that type of training to interested persons.

3 **(2) MATCH.** No moneys may be transferred from the appropriation account
4 under s. 20.370 (1) (mu) to pay for the costs associated with the agreement under sub.
5 (1), unless the organization described in sub. (1) demonstrates that it has contributed
6 an equal amount to pay for those costs. The matching contribution may be in the
7 form of money or in-kind goods or services.

8 **SECTION 784g.** 29.867 (8g) of the statutes is created to read:

9 29.867 **(8g)** The department shall evaluate the impact of pheasant game farms
10 licensed under this section on the survival of wild hen pheasants in the vicinity of
11 pheasant game farms. The department shall submit the results of the evaluation,
12 along with recommendations to protect and enhance wild pheasant populations in
13 the vicinity of pheasant game farms, to the legislature under s. 13.172 (2) no later
14 than October 1, 2000.

15 **SECTION 784m.** 29.89 of the statutes is created to read:

16 **29.89 Venison processing grants. (1) DEFINITIONS.** In this section:

17 (a) “Charitable organization” means a nonprofit corporation, charitable trust
18 or other nonprofit association that is described in section 501 (c) (3) of the Internal
19 Revenue Code and that is exempt from taxation under section 501 (a) of the Internal
20 Revenue Code.

21 (b) “Deer damage management season” means a season for hunting deer that
22 is established or extended by the department in order to reduce the deer population
23 because the department determines that an excess population of deer will result in
24 the increase of damage to agricultural or forest lands.

1 **(2) ESTABLISHMENT OF PROGRAM.** The department shall establish a program to
2 reimburse counties for the costs that they incur in processing venison from certain
3 deer carcasses.

4 **(3) ELIGIBILITY REQUIREMENTS.** A county is eligible for reimbursement under
5 this section if all of the following apply:

6 (a) The county participates in the administration of both the wildlife damage
7 abatement program and the wildlife damage claim program under s. 29.889.

8 (b) The county accepts deer carcasses for processing and pays for the costs of
9 processing.

10 (c) The venison that is processed comes from deer that were killed in the county
11 during a deer damage management season.

12 (d) The county pays for the costs of processing the venison.

13 (e) The processed venison is donated as provided under sub. (4).

14 **(4) DONATIONS AUTHORIZED.** A county may donate the processed venison to a
15 food distribution service or a charitable organization. The county may require that
16 the carcasses be field dressed before accepting them for processing.

17 **(5) GRANTS; AMOUNTS; FUNDING.** (a) Reimbursement under this section shall
18 equal the amount that it costs a county to process the venison.

19 (b) The department shall reimburse counties under this section from the
20 appropriation under s. 20.370 (5) (fq) after first deducting from s. 20.370 (5) (fq)
21 payments made for county administrative costs, payments made for wildlife damage
22 abatement assistance and wildlife damage claim payments under s. 29.889.

23 (c) If the total amount of reimbursable costs under par. (a) exceeds the amount
24 available after making the deductions under par. (b), the department shall establish
25 a system to prorate the reimbursement payments among the eligible counties.

1 **(6) TAGGING EXEMPTION.** The requirement under s. 29.347 (2m) (a) that the tags
2 remain with the deer carcass or venison does not apply to a deer carcass or venison
3 that is subject to this section.

4 **SECTION 785d.** 29.936 (1) of the statutes is amended to read:

5 29.936 **(1)** Notwithstanding s. ~~29.06~~ 29.934, the department may distribute for
6 free carcasses from fish and game seized or confiscated under s. ~~29.05~~ 29.931 that are
7 suitable for eating to food distribution services, ~~as defined in s. 46.765 (1) (b).~~ The
8 department may have the fish or game that is seized or confiscated processed before
9 distributing that fish or game to food distribution services. The department may
10 collect the costs of the processing of the fish or game from the person from whom the
11 fish and game was seized or confiscated.

12 **SECTION 785dd.** 30.01 (1n) of the statutes is created to read:

13 30.01 **(1n)** “Drain” has the meaning given in s. 88.01 (8).

14 **SECTION 785de.** 30.01 (1nm) of the statutes is created to read:

15 30.01 **(1nm)** “Duck Creek Drainage District” means Outagamie Drainage
16 District No. 6 that is also known as the Duck Creek Drainage District and is located
17 in Outagamie County.

18 **SECTION 785dh.** 30.10 (2) of the statutes is amended to read:

19 30.10 **(2)** STREAMS. Except as provided under sub. (4) (c) and (d), all streams,
20 sloughs, bayous and marsh outlets, which are navigable in fact for any purpose
21 whatsoever, are declared navigable to the extent that no dam, bridge or other
22 obstruction shall be made in or over the same without the permission of the state.

23 **SECTION 785dm.** 30.10 (4) (d) of the statutes is created to read:

24 30.10 **(4)** (d) A drainage district drain located in the Duck Creek Drainage
25 District and operated by the board for that district is not navigable unless it is shown,

1 by means of a U.S. geological survey map or other similarly reliable scientific
2 evidence, that the drain was a navigable stream before it became a drainage district
3 drain.

4 **SECTION 785dp.** 30.12 (1) (intro.) of the statutes is amended to read:

5 30.12 (1) GENERAL PROHIBITION. (intro.) Except as provided under ~~sub.~~ subs.
6 (4) and (4m), unless a permit has been granted by the department pursuant to
7 statute or the legislature has otherwise authorized structures or deposits in
8 navigable waters, it is unlawful:

9 **SECTION 792.** 30.12 (4) (a) of the statutes is amended to read:

10 30.12 (4) (a) Activities affecting waters of the state as defined in s. 281.01 (18)
11 that are carried out under the direction and supervision of the department of
12 transportation in connection with highway ~~and~~, bridge or other transportation
13 project design, location, construction, reconstruction, maintenance and repair are
14 not subject to the prohibitions or permit or approval requirements specified under
15 this section or s. 29.601, 30.11, 30.123, 30.19, 30.195, 30.20, 59.692, 61.351, 62.231
16 or 87.30 or chs. 281 to 285 or 289 to 299, except s. 281.48. However, at the earliest
17 practical time prior to the commencement of these activities, the department of
18 transportation shall notify the department of the location, nature and extent of the
19 proposed work that may affect the waters of the state.

20 **SECTION 792m.** 30.12 (4m) of the statutes is created to read:

21 30.12 (4m) DUCK CREEK DRAINAGE DISTRICT STRUCTURES AND DEPOSITS.
22 Subsection (1) does not apply to a structure or deposit that the drainage board for the
23 Duck Creek Drainage District places in a drain that the board operates in the Duck
24 Creek Drainage District if either of the following applies:

1 (a) The department of agriculture, trade and consumer protection, after
2 consulting with the department of natural resources, specifically approves the
3 structure or deposit.

4 (b) The structure or deposit is required, under rules promulgated by the
5 department of agriculture, trade and consumer protection, in order to conform the
6 drain to specifications approved by the department of agriculture, trade and
7 consumer protection after consulting with the department of natural resources.

8 **SECTION 793p.** 30.1255 (4) of the statutes is created to read:

9 30.1255 (4) EDUCATIONAL ACTIVITIES. The department shall expend moneys in
10 fiscal year 1999–2000 and in fiscal year 2000–01 to conduct activities that provide
11 information and educational materials to the public regarding aquatic nuisance
12 species. The amount expended under this subsection in each fiscal year may not
13 exceed \$25,000.

14 **SECTION 793q.** 30.1255 (4) of the statutes, as created by 1999 Wisconsin Act
15 (this act), is repealed.

16 **SECTION 793t.** 30.134 of the statutes is created to read:

17 **30.134 Use of exposed shore areas along streams. (1) DEFINITIONS.** In this
18 section:

19 (a) “Artificial ditch” means a ditch, channel, canal or other stream of water that
20 has no prior history as a stream.

21 (b) “Exposed shore area” means the area of the bed of a navigable body of water
22 that is between the ordinary high–water mark and the water’s edge.

23 (c) “Highway” has the meaning given in s. 340.01 (22).

24 (d) “Riparian” means the owner, lessee or occupant of land that abuts a
25 navigable body of water.

1 (e) “Water-related recreational activity” means a recreational activity that
2 requires a body of water and includes swimming, fishing and boating.

3 **(2) AUTHORIZATION.** Members of the public may use any exposed shore area of
4 a stream without the permission of the riparian to engage in a water-related
5 recreational activity.

6 **(3) RESTRICTIONS; MEMBERS OF PUBLIC.** (a) In engaging in a water-related
7 recreational activity in the exposed shore area of a stream, as authorized under sub.
8 (2), a member of the public may not do any of the following:

9 1. Use a motorized vehicle unless an exception under s. 30.29 (3) applies.

10 2. Place a structure or object on the exposed shore area that remains after the
11 person leaves the exposed shore area.

12 3. Cut or remove trees or woody vegetation.

13 4. Remove or damage soils or plants.

14 5. Remove or damage any object that was placed on the exposed shore area by
15 the riparian.

16 6. Camp overnight.

17 7. Enter the exposed shore area except from the water in the stream, from a
18 point of public access on the stream or with the permission of the riparian.

19 (b) Paragraph (a) 4. and 5. does not apply to removal or damage that is caused
20 by normal wear or tear.

21 (c) Use of an exposed shore area of a stream by members of the public does not
22 grant an easement or other right to the exposed shore area that is greater than the
23 right granted to the public under this section.

1 **(4) RESTRICTIONS; RIPARIANS; OTHERS.** (a) No riparian may prohibit a member
2 of the public from using, as authorized under this section, an exposed shore area of
3 a stream.

4 (b) No riparian may charge a fee for the use, as authorized under this section,
5 of an exposed shore area of a stream.

6 (c) No person may obstruct a highway with the intention to impede or prohibit
7 access by the public to an exposed shore area of a stream.

8 **(5) EXCEPTIONS.** The right granted to the public to engage in recreational
9 activities on an exposed shore area of a stream does not apply to any of the following:

10 (a) An exposed shore area of an impoundment on a stream.

11 (b) Any artificial ditch.

12 (c) Any location on a stream where there is no surface water flowing in the
13 stream.

14 **SECTION 802mg.** 30.20 (1) (b) of the statutes is amended to read:

15 30.20 **(1)** (b) Except as provided under ~~par.~~ pars. (c) and (d), no person may
16 remove any material from the bed of any lake or stream not mentioned under par.
17 (a) without first obtaining a permit from the department under sub. (2) (c).

18 **SECTION 802mr.** 30.20 (1) (d) of the statutes is created to read:

19 30.20 **(1)** (d) The drainage board for the Duck Creek Drainage District may
20 without a permit under sub. (2) (c) remove material from a drain that the board
21 operates in the Duck Creek Drainage District if the removal is required, under rules
22 promulgated by the department of agriculture, trade and consumer protection, in
23 order to conform the drain to specifications imposed by the department of
24 agriculture, trade and consumer protection after consulting with the department of
25 natural resources.

1 **SECTION 847g.** 30.24 of the statutes is created to read:

2 **30.24 Bluff protection. (1) DEFINITIONS.** In this section:

3 (a) “Obligate” has the meaning given in s. 23.0917 (1) (e).

4 (b) “Protect” includes to restore.

5 **(2) AUTHORIZATION.** For the purposes of protecting bluff land, the department
6 may expend money from the appropriation under s. 20.866 (2) (ta) for a program
7 under which the department may do all of the following:

8 (a) Acquire bluff land or interests in bluff land along the Great Lakes.

9 (b) Award grants to nonprofit conservation organizations to acquire these lands
10 or interests under s. 23.096.

11 **(3) BAN ON LOCATION RESTRICTIONS.** In exercising its authority under sub. (2) (a),
12 the department may not limit acquisitions of bluff lands to bluff lands that are within
13 the boundaries of projects established by the department.

14 **(4) LIMIT ON GRANTS.** A grant awarded under this section or under s. 23.096 to
15 protect bluffs may not exceed 50% of the acquisition costs.

16 **(5) RULES.** The department shall promulgate rules to administer and
17 implement this section, including standards for awarding grants to protect bluffs
18 under this section and under s. 23.096 grants. The department by rule shall define
19 “bluff land” for purposes of this section.

20 **SECTION 847L.** 30.277 (1) of the statutes is renumbered 30.277 (1m) (a) and
21 amended to read:

22 30.277 **(1m)** (a) ~~Beginning in fiscal year 1992–93 and ending in fiscal year~~
23 ~~1999–2000~~, from the appropriation under s. 20.866 (2) (tz), the department shall
24 award grants to ~~municipalities~~ governmental units to assist ~~municipalities~~ them in
25 projects on or adjacent to rivers that flow through urban areas. The department may

1 award these grants from the appropriation under s. 20.866 (2) (ta) beginning on
2 July 1, 2000.

3 (b) For each fiscal year, except as provided in s. 23.0915 (1r) (c), from the
4 appropriation under s. 20.866 (2) (tz), the department shall designate for
5 expenditure \$1,900,000 for grants under this section and for grants under s. 23.096
6 for the purposes under sub. (2) (a). This paragraph does not apply after
7 June 30, 2000.

8 **SECTION 847m.** 30.277 (1b) of the statutes is created to read:

9 30.277 (1b) DEFINITION. In this section:

10 (a) “Governmental unit” means a city, village, town, county or the Kickapoo
11 reserve management board.

12 (b) “Nature-based outdoor recreation” has the meaning given by the
13 department by rule under s. 23.0917 (4) (f).

14 **SECTION 847n.** 30.277 (2) (a) of the statutes is amended to read:

15 30.277 (2) (a) Grants awarded under this section from the appropriation under
16 s. 20.866 (2) (tz) shall be used for projects that emphasize the preservation or
17 restoration of urban rivers or riverfronts for the purposes of economic revitalization
18 and encouraging outdoor recreation activities that involve the enjoyment of the
19 state’s natural resources. These outdoor recreation activities include, but are not
20 limited to fishing, wildlife observation, enjoyment of scenic beauty, canoeing,
21 boating, hiking and bicycling.

22 **SECTION 847o.** 30.277 (2) (b) of the statutes is amended to read:

23 30.277 (2) (b) A grant awarded to a ~~municipality~~ governmental unit under this
24 section may be used to acquire land and may be used for a shoreline enhancement
25 project. For purposes of this paragraph, “land” includes rights in land.

1 **SECTION 847p.** 30.277 (2) (c) of the statutes is created to read:

2 30.277 **(2)** (c) Grants awarded under this section from the appropriation under
3 s. 20.866 (2) (ta) shall only be used for nature–based outdoor recreation.

4 **SECTION 847q.** 30.277 (3) (e) of the statutes is amended to read:

5 30.277 **(3)** (e) Whether significant planning has occurred in the municipality
6 area subject to the jurisdiction of the governmental unit prior to its request for a
7 grant under this section.

8 **SECTION 847r.** 30.277 (3) (f) of the statutes is amended to read:

9 30.277 **(3)** (f) The level of support for the project demonstrated by the
10 municipality governmental unit, including financial support.

11 **SECTION 847s.** 30.277 (3) (g) of the statutes is amended to read:

12 30.277 **(3)** (g) Whether the project involves a joint effort by 2 or more
13 municipalities governmental units.

14 **SECTION 847t.** 30.277 (3) (h) of the statutes is amended to read:

15 30.277 **(3)** (h) The potential benefits of the project to the overall economy of the
16 municipality area subject to the jurisdiction of the governmental unit.

17 **SECTION 847u.** 30.277 (4) of the statutes is amended to read:

18 30.277 **(4)** CAP ON GRANTS. No municipality governmental unit may receive in
19 any fiscal year more than 20% of the funds that are available for grants under this
20 section.

21 **SECTION 847v.** 30.277 (4m) of the statutes is created to read:

22 30.277 **(4m)** GRANTS FOR KICKAPOO. The department may not award a grant
23 under this section from the appropriation under s. 20.866 (2) (tz) to the Kickapoo
24 reserve management board.

25 **SECTION 847w.** 30.277 (5) of the statutes is amended to read:

1 30.277 (5) CONTRIBUTION BY MUNICIPALITY ~~GOVERNMENTAL UNIT~~. To be eligible for
2 a grant under this section, at least 50% of the cost of the project acquisition costs for
3 land or of the project costs shall be funded by private, local or federal funding, by
4 in-kind contributions or by state funding. For purposes of this subsection, state
5 funding may not include grants under this section, moneys appropriated to the
6 department under s. 20.370 or money appropriated under s. 20.866 (2) (ta), (tp) to
7 (tw), (ty) or (tz).

8 **SECTION 847x.** 30.277 (6) of the statutes is amended to read:

9 30.277 (6) RULES. The department shall promulgate rules for the
10 administration of this section, including rules that specify the weight to be assigned
11 to each criterion under sub. (3) and the minimum number of criteria under sub. (3)
12 in which an applicant must perform satisfactorily in order to be awarded a grant.
13 In specifying the weight to be assigned to the criteria under sub. (3), the department
14 shall assign the greatest weight to the criterion under sub. (3) (k). The department
15 shall promulgate a rule specifying the types of projects that qualify as a shoreline
16 enhancement project under this section.

17 **SECTION 854.** 30.50 (4a) of the statutes is created to read:

18 30.50 (4a) “Expedited service” means a process under which a person is able
19 to renew a certificate of number or a certificate of registration in person and with only
20 one appearance at the site where certificates are renewed.

21 **SECTION 855.** 30.52 (1m) of the statutes is created to read:

22 30.52 (1m) RENEWALS. (a) *Agents*. For the renewal of certificates of number
23 or certificates of registration, the department may do any of the following:

24 1. Directly renew the certificates.

1 2. Appoint, as an agent of the department, the clerk of one or more counties to
2 renew the certificates.

3 3. Appoint persons who are not employes of the department to renew the
4 certificates as agents of the department.

5 (b) *Agent activities.* 1. The clerk of any county appointed under par. (a) 2. may
6 accept the appointment.

7 2. The department may promulgate rules regulating the activities of persons
8 appointed under par (a) 2. and 3.

9 (c) *Expedited service.* The department may establish an expedited service to
10 be provided by the department and agents appointed under par. (a) 2. or 3. for the
11 renewal of certificates of number or certificates of registration.

12 (d) *Fees.* In addition to the applicable renewal fee under sub. (3), the
13 department may authorize that a supplemental renewal fee of \$3 be collected for the
14 renewal of certificates of number or certificates of registration that are renewed in
15 any of the following manners:

16 1. By agents appointed under par. (a) 2. or 3.

17 2. By the department using the expedited service.

18 (e) *Remittal of fees.* An agent appointed under par. (a) 2. or 3. shall remit to the
19 department \$2 of each \$3 fee collected under par. (d). Any fees remitted to or collected
20 by the department under par. (d) shall be credited to the appropriation account under
21 s. 20.370 (9) (hu).

22 **SECTION 856.** 30.52 (2) of the statutes is amended to read:

23 30.52 (2) CERTIFICATION AND REGISTRATION PERIOD. The certification and
24 registration period runs for ~~2~~ 3 years, commencing on April 1 of the year in which the
25 certificate of number or registration is issued and, unless sooner terminated or

1 discontinued in accordance with this chapter, expiring on March 31 of the ~~2nd~~ 3rd
2 year after issuance. A certificate of number or registration is valid only for the period
3 for which it is issued.

4 **SECTION 857.** 30.52 (3) (b) of the statutes is amended to read:

5 30.52 (3) (b) *Fee for boats under 16 feet.* The fee for the issuance or renewal of
6 a certificate of number for a boat less than 16 feet in length is \$~~11~~ \$16.50.

7 **SECTION 858.** 30.52 (3) (c) of the statutes is amended to read:

8 30.52 (3) (c) *Fee for boats 16 feet or more but less than 26 feet.* The fee for the
9 issuance or renewal of a certificate of number for a boat 16 feet or more but less than
10 26 feet in length is \$~~16~~ \$24.

11 **SECTION 859.** 30.52 (3) (d) of the statutes is amended to read:

12 30.52 (3) (d) *Fee for boats 26 feet or more but less than 40 feet.* The fee for the
13 issuance or renewal of a certificate of number for a boat 26 feet or more but less than
14 40 feet in length is \$~~30~~ \$45.

15 **SECTION 860.** 30.52 (3) (e) of the statutes is amended to read:

16 30.52 (3) (e) *Fee for boats 40 feet or longer.* The fee for the issuance or renewal
17 of a certificate of number for a boat 40 feet or more in length is \$~~50~~ \$75.

18 **SECTION 861.** 30.52 (3) (f) of the statutes is amended to read:

19 30.52 (3) (f) *Fee for nonmotorized sailboats.* Notwithstanding pars. (b) to (e),
20 the fee for the issuance or renewal of a certificate of number for a sailboat which is
21 not a motorboat is \$~~10~~ \$15.

22 **SECTION 862.** 30.52 (3) (fm) of the statutes is amended to read:

23 30.52 (3) (fm) *Fee for voluntarily registered boats.* Notwithstanding pars. (b)
24 to (f), the fee for issuance or renewal of registration for a boat registered pursuant
25 to sub. (1) (b) 1m. is \$~~6.50~~ \$9.75.

1 **SECTION 863.** 30.52 (3) (h) of the statutes is amended to read:

2 30.52 **(3)** (h) *Fee for issuance upon transfer of ownership.* Notwithstanding
3 pars. (b) to (g), the fee for the issuance of a certificate of number or registration to the
4 new owner upon transfer of ownership of a boat certified or registered under this
5 chapter by the previous owner is ~~\$2.50~~ \$3.75 if the certificate of number or
6 registration is issued for the remainder of the certification and registration period
7 for which the previous certificate of number or registration was issued.

8 **SECTION 864.** 30.52 (3) (i) of the statutes is amended to read:

9 30.52 **(3)** (i) *Fleet fees.* A person owning or holding 3 or more boats may, at the
10 person's option, pay a fleet rate for these boats instead of the fees which otherwise
11 would be payable under pars. (b) to (g). Notwithstanding pars. (b) to (g), the fee for
12 the issuance or renewal of certificates of number or registrations for boats under the
13 fleet rate is ~~\$18~~ \$27 plus 50% of the fees which would otherwise be applicable for the
14 boats under pars. (b) to (g).

15 **SECTION 865.** 30.52 (3) (im) of the statutes, as created by 1997 Wisconsin Act
16 198, is amended to read:

17 30.52 **(3)** (im) *Dealer or manufacturer fees.* A manufacturer or dealer in boats
18 may, at the manufacturer's or dealer's option, pay a fee of \$50 \$75 for the issuance
19 or renewal of a certificate of number.

20 **SECTION 866.** 30.74 (1) (b) of the statutes, as affected by 1997 Wisconsin Act
21 198, is amended to read:

22 30.74 **(1)** (b) The department shall prescribe the course content, and the form
23 of the certificate ~~and may collect a fee from each person who enrolls in the course.~~
24 The department may authorize instructors. An instructor conducting such courses
25 ~~meeting standards established by it to retain a~~ course under this subsection shall

1 collect the instruction fee from each person who receives instruction. The
2 department may determine the portion of the this fee, which may not exceed 50%,
3 that the instructor may retain to defray expenses incurred locally to operate the
4 program by the instructor in conducting the course. The instructor shall remit the
5 remainder of the fee shall be retained by or, if nothing is retained, the entire fee to
6 the department for the purpose of defraying a part of its expenses incurred to operate
7 the program. The department by rule shall set the fee for the course and the amount
8 of the fee that may be retained by instructors.

9 **SECTION 867j.** 30.77 (3) (dm) 1. of the statutes is renumbered 30.77 (3) (dm) 1.
10 (intro.) and amended to read:

11 30.77 (3) (dm) 1. (intro.) In this paragraph, “local:

12 b. “Local entity” means a city, village, town, county, qualified lake association,
13 as defined in s. 281.68 (1) (b), nonprofit conservation organization, as defined in s.
14 23.0955 (1), town sanitary district, public inland lake protection and rehabilitation
15 district or another local governmental unit, as defined in s. 66.299 (1) (a), that is
16 established for the purpose of lake management.

17 **SECTION 867m.** 30.77 (3) (dm) 1. a. of the statutes is created to read:

18 30.77 (3) (dm) 1. a. “Boating organization” means a nonstock corporation
19 organized under ch. 181 whose primary purpose is to promote boating activities.

20 **SECTION 867p.** 30.77 (3) (dm) 2. (intro.) of the statutes is renumbered 30.77 (2)
21 (dm) 2. and amended to read:

22 30.77 (2) (dm) 2. If the department or a local entity objects to an ordinance
23 enacted under par. (a), (ac) 2. or (am) 1. b., on the grounds that all or a portion of the
24 ordinance is contrary to or inconsistent with this chapter, all of the following apply:
25 the procedure under subd. 2r. shall apply.

1 **SECTION 867s.** 30.77 (3) (dm) 2. a. of the statutes is renumbered 30.77 (3) (dm)

2 2r. a. and amended to read:

3 30.77 (3) (dm) 2r. a. Upon receipt of an objection under ~~this subdivision~~ subd.
4 2. or 2g., the department shall order a hearing on the objection under ch. 227. The
5 hearing shall be a contested case hearing, and the administrator of the division of
6 hearings and appeals in the department of administration shall assign a hearing
7 examiner to the hearing as provided in s. 227.43. Persons who are not parties to the
8 contested case may present testimony and evidence at the hearing.

9 **SECTION 867v.** 30.77 (3) (dm) 2. b. of the statutes is renumbered 30.77 (3) (dm)

10 2r. b. and amended to read:

11 30.77 (3) (dm) 2r. b. The hearing examiner shall issue an order on the objection
12 within 90 days after the date on which the hearing is ordered under subd. ~~2.~~ 2r. a.
13 If

14 c. For an objection under subd. 2., if the hearing examiner determines that the
15 ordinance or the portion of the ordinance is contrary to or inconsistent with this
16 chapter, the hearing examiner shall issue an order declaring the ordinance or that
17 portion of the ordinance void. The For an objection under subd. 2g., if the hearing
18 examiner determines that the ordinance or the portion of the ordinance is not
19 necessary for public health, safety, welfare or the public's interest in preserving the
20 state's natural resources, the hearing examiner shall issue an order declaring the
21 ordinance or that portion of the ordinance void. An order issued under this subd. 2r.
22 c. shall prohibit the enforcement of all or any portion of the ordinance declared to be
23 void.

24 **SECTION 867x.** 30.77 (3) (dm) 2g. of the statutes is created to read:

1 30.77 **(3)** (dm) 2g. If a local entity or an boating organization objects to an
2 ordinance enacted under par. (a) that applies to a river or stream, or to an ordinance
3 enacted under par. (b), on the grounds that all or a portion of the ordinance is not
4 necessary for public health, safety, welfare or the public's interest in preserving the
5 state's natural resources, the procedure under subd 2r. shall apply.

6 **SECTION 867xg.** 30.92 (4) (b) 8. am. of the statutes is created to read:

7 30.92 **(4)** (b) 8. am. A project that uses chemicals to remove Eurasian water
8 milfoil.

9 **SECTION 867xj.** 30.92 (4) (b) 11. of the statutes is created to read:

10 30.92 **(4)** (b) 11. Not more than \$75,000 in each fiscal year may be expended for
11 projects under subd. 8. am.

12 **SECTION 867xm.** 30.92 (4m) of the statutes is repealed.

13 **SECTION 867xp.** 31.02 (title) of the statutes is amended to read:

14 **31.02** (title) **Powers and duties of department.**

15 **SECTION 867xr.** 31.02 (4) (c) of the statutes is amended to read:

16 31.02 **(4)** (c) With good and sufficient ~~fishway or fishways~~ or fish ladders, or in
17 lieu thereof the owner may be permitted to enter into an agreement with the
18 department to pay for or to supply to the state of Wisconsin annually such quantities
19 of game fish for stocking purposes as may be agreed upon by the owner and the
20 department.

21 **SECTION 867xs.** 31.02 (4g) of the statutes is created to read:

22 31.02 **(4g)** The department may not impose the requirement under sub. (4) (c)
23 on an owner of a dam unless all of the following apply:

24 1. The rules promulgated under sub. (4r) are in effect.

1 2. The federal government or the state implements a program to provide
2 cost-sharing grants to owners of dams for equipping dams with fishways or fish
3 ladders and a grant is available to the dam owner under the program.

4 **SECTION 867xt.** 31.02 (4r) of the statutes is created to read:

5 31.02 (4r) The department shall promulgate rules specifying the rights held
6 by the public in navigable waters that are dammed. The rules shall include
7 provisions on the rights held by public that affect the placement of fishways or fish
8 ladders in navigable waters that are dammed.

9 **SECTION 867xu.** 31.02 (6) of the statutes is amended to read:

10 31.02 (6) ~~The department shall~~ Except as provided in sub. (7m), the
11 department may operate, repair and maintain the dams and ~~dykes~~ dikes constructed
12 across drainage ditches and streams in drainage districts, in the interest of drainage
13 control, water conservation, irrigation, conservation, pisciculture and to provide
14 areas suitable for the nesting and breeding of aquatic wild bird life and the
15 propagation of fur-bearing animals.

16 **SECTION 867xv.** 31.02 (7) of the statutes is amended to read:

17 31.02 (7) The department shall confer with the drainage commissioners in each
18 drainage district on the formation of policies for the operation and maintenance of
19 the dams; in districts having no commissioners, the department shall confer in like
20 manner with the committee appointed by the county board, if any, to represent either
21 such drainage district, or in the event that the drainage district is dissolved, to
22 represent the interests of the county in all matters whatsoever pertaining to water
23 conservation and control within the area which theretofore constituted such
24 drainage district. This subsection does not apply to the Duck Creek Drainage
25 District.

1 **SECTION 867xw.** 31.02 (7m) of the statutes is created to read:

2 **31.02 (7m)** The drainage board for the Duck Creek Drainage District shall
3 operate, repair and maintain dams, dikes and other structures in district drains that
4 the board operates in the Duck Creek Drainage District in compliance with ch. 88
5 and any rules promulgated by the department of agriculture, trade and consumer
6 protection under ch. 88. If a county drainage board fails to perform its duties under
7 this subsection, the department of natural resources may exercise its authority
8 under subs. (6), (8) and (9).

9 **SECTION 867y.** 31.309 (title) of the statutes is amended to read:

10 **31.309 (title) Portage levee system and canal.**

11 **SECTION 867z.** 31.309 (1) (am) of the statutes is created to read:

12 **31.309 (1) (am)** The city of Portage may use any amounts from the grant
13 awarded under par. (a) for the renovation and repair of the Portage canal.

14 **SECTION 868.** 31.385 (title) of the statutes is amended to read:

15 **31.385 (title) Dam maintenance, repair, modification, abandonment**
16 **and removal safety; aid program.**

17 **SECTION 869b.** 31.385 (1) of the statutes is renumbered 31.385 (1m) (intro.) and
18 amended to read:

19 **31.385 (1m) (intro.)** The department shall promulgate the rules necessary to
20 administer a financial assistance program for ~~municipalities and public inland lake~~
21 ~~protection and rehabilitation districts for dam maintenance, repair, modification,~~
22 ~~abandonment and removal.~~ dam safety projects under which financial assistance
23 shall be provided as follows:

24 **SECTION 870b.** 31.385 (1b) of the statutes is created to read:

25 **31.385 (1b)** In this section:

1 (a) “Dam safety project” means the maintenance, repair, modification,
2 abandonment or removal of a dam to increase its safety or any other activity that will
3 increase the safety of a dam.

4 (b) “Small dam” means a dam that is less than 15 feet high and that creates an
5 impoundment of 100 surface acres of water or less.

6 **SECTION 870m.** 31.385 (1m) (a) of the statutes is created to read:

7 31.385 (1m) (a) To municipalities and public inland lake protection and
8 rehabilitation districts for any type of dam safety projects.

9 **SECTION 870p.** 31.385 (1m) (b) of the statutes is created to read:

10 31.385 (1m) (b) To private owners for the removal of small dams.

11 **SECTION 870r.** 31.385 (1m) (c) of the statutes is created to read:

12 31.385 (1m) (c) To any persons for the removal of abandoned dams.

13 **SECTION 871.** 31.385 (2) (intro.) of the statutes is amended to read:

14 31.385 (2) (intro.) The following standards shall apply to financial assistance
15 under this section for dam maintenance, repair, modification, abandonment and
16 removal safety projects:

17 **SECTION 872b.** 31.385 (2) (a) of the statutes is renumbered 31.385 (2) (a) 1. and
18 amended to read:

19 31.385 (2) (a) 1. State Except as provided in subd. 2., financial assistance for
20 a dam safety project is limited to no more than 50% of the cost of a particular project
21 involving dam maintenance, repair, modification, abandonment or removal and no
22 more than \$200,000 of state financial assistance for a particular the project.

23 **SECTION 872e.** 31.385 (2) (a) 2. of the statutes is created to read:

24 31.385 (2) (a) 2. A project to remove an abandoned dam shall not be subject to
25 the 50% cost limit under subd. 1.

1 **SECTION 872g.** 31.385 (2) (a) 3. of the statutes is created to read:

2 31.385 (2) (a) 3. Financial assistance is limited to no more than \$200,000 for
3 each dam safety project.

4 **SECTION 873b.** 31.385 (2) (ag) of the statutes is amended to read:

5 31.385 (2) (ag) Of the amounts appropriated under s. 20.866 (2) (tL), at least
6 \$250,000 shall be used for projects to remove small dams ~~that are less than 15 feet~~
7 ~~wide and that create impoundments of 50 acre-feet of water or less.~~ A project under
8 ~~this paragraph~~ to remove a small dam may include restoring the stream or river that
9 was dammed.

10 **SECTION 874.** 31.385 (2) (bm) of the statutes is created to read:

11 31.385 (2) (bm) The department may provide financial assistance for an
12 activity other than the maintenance, repair, modification, abandonment or removal
13 of the dam only if the cost of that activity will be less than the cost of the maintenance,
14 repair, modification or removal of the dam.

15 **SECTION 875.** 31.385 (2) (c) (intro.) of the statutes is amended to read:

16 31.385 (2) (c) (intro.) No financial assistance may be provided under this
17 section for ~~the maintenance, repair, modification, abandonment or removal of a dam~~
18 safety project unless at least one of the following applies:

19 **SECTION 876.** 31.385 (2) (c) 1. of the statutes is amended to read:

20 31.385 (2) (c) 1. The department conducts an investigation or inspection of the
21 dam under this chapter and the owner of the dam requests financial assistance under
22 this section within 6 months after having received department directives, based on
23 the department's investigation or inspection of the dam, for the repair, modification
24 or abandonment and removal of the dam or for another activity to increase the safety
25 of the dam.

1 **SECTION 876g.** 31.385 (2) (c) 2. of the statutes is amended to read:

2 31.385 **(2)** (c) 2. The municipality ~~or~~, public inland lake protection and
3 rehabilitation district or other person applying for state financial assistance under
4 this section has received directives from the department or is under order by the
5 department to maintain, repair, modify, abandon or remove a dam on
6 August 9, 1989.

7 **SECTION 877b.** 31.385 (3) of the statutes is amended to read:

8 31.385 **(3)** The department shall provide municipalities ~~and~~, public inland lake
9 protection and rehabilitation districts and other persons receiving state financial
10 assistance under this section with technical assistance ~~in conducting dam~~
11 ~~maintenance, repair, modification, abandonment and removal~~ for dam safety
12 projects under this section. The department shall coordinate the financial assistance
13 program under this section with other related state and federal programs.

14 **SECTION 877d.** 31.385 (4) of the statutes is created to read:

15 31.385 **(4)** (a) The department shall maintain an inventory of all dams in the
16 state that require dam safety project under this section. The inventory shall list the
17 dam safety projects in the chronological order in which they are required to be
18 undertaken. For each dam safety project on the inventory, the department shall
19 include a statement of which parts of the dam safety project are required to protect
20 the rights held by the public in the navigable waters contained by the dam.

21 (b) The department shall provide notice to the owner of a dam that is included
22 in the inventory. The department shall by rule establish a notice and hearing process
23 for a dam owner to object to the inclusion of the owner's dam on the list. The
24 department shall use this notice and hearing each time a dam is included in the

1 inventory. The process shall include a public hearing in the city, village or town in
2 which the dam is located, a public comment period, and an appeals process.

3 **SECTION 877m.** 33.44 (1) (dm) of the statutes is created to read:

4 33.44 (1) (dm) One member who is a member of the Yahara Lakes Association.

5 **SECTION 877p.** 33.44 (3) of the statutes is amended to read:

6 33.44 (3) ~~Five~~ Six commissioners shall constitute a quorum for the transaction
7 of business.

8 **SECTION 877r.** 33.44 (7) of the statutes is amended to read:

9 33.44 (7) The board of commissioners shall meet at least quarterly, and at other
10 times on the call of the chairperson or on the petition of ~~5~~ 6 of the members.

11 **SECTION 884a.** 34.01 (2) (a) of the statutes is amended to read:

12 34.01 (2) (a) Any loss of public moneys, which have been deposited in a
13 designated public depository in accordance with this chapter, resulting from the
14 failure of any public depository to repay to any public depositor the full amount of
15 its deposit because the office of credit unions, administrator of federal credit unions,
16 U.S. comptroller of the currency, federal home loan bank board, U.S. office of thrift
17 supervision, federal deposit insurance corporation, resolution trust corporation,
18 division of banking or division of savings and loan institutions has taken possession
19 of the public depository or because the public depository has, with the consent and
20 approval of the office of credit unions, administrator of federal credit unions, U.S.
21 office of thrift supervision, federal deposit insurance corporation, resolution trust
22 corporation, division of banking or division of savings and loan institutions, adopted
23 a stabilization and readjustment plan or has sold a part or all of its assets to another
24 credit union, bank, savings bank or savings and loan association which has agreed
25 to pay a part or all of the deposit liability on a deferred payment basis or because the

1 depository is prevented from paying out old deposits because of rules of the office of
2 credit unions, administrator of federal credit unions, U.S. comptroller of the
3 currency, federal home loan bank board, U.S. office of thrift supervision, federal
4 deposit insurance corporation, resolution trust corporation, division of banking or
5 division of savings and loan institutions.

6 **SECTION 885a.** 34.10 of the statutes is amended to read:

7 **34.10 Reorganization and stabilization of financial institutions.**

8 Whenever the office of credit unions, administrator of federal credit unions, U.S.
9 comptroller of the currency, federal home loan bank board, U.S. office of thrift
10 supervision, federal deposit insurance corporation, resolution trust corporation,
11 division of banking or division of savings and loan institutions has taken charge of
12 a credit union, bank, savings bank or savings and loan association with a view of
13 restoring its solvency, pursuant to law, or with a view of stabilizing and readjusting
14 the structure of any national or state credit union, bank, savings bank or savings and
15 loan association located in this state, and has approved a reorganization plan or a
16 stabilization and readjustment agreement entered into between the credit union,
17 bank, savings bank or savings and loan association and depositors and unsecured
18 creditors, or when a credit union, bank, savings bank or savings and loan association,
19 with the approval of the office of credit unions, administrator of federal credit unions,
20 U.S. comptroller of the currency, federal home loan bank board, U.S. office of thrift
21 supervision, federal deposit insurance corporation, resolution trust corporation,
22 division of banking or division of savings and loan institutions proposes to sell its
23 assets to another credit union, bank, savings bank or savings and loan association
24 which agrees to assume a part or all of the deposit liability of such selling credit
25 union, bank, savings bank or savings and loan association and to pay the same on

1 a deferred payment basis, the governing board of the public depositor may, on the
2 approval of the division of banking, join in the execution of any reorganization plan,
3 or any stabilization and readjustment agreement, or any depositor's agreement
4 relative to a proposed sale of assets if, in its judgment and that of the division of
5 banking, the reorganization plan or stabilization and readjustment agreement or
6 proposed sale of assets is in the best interest of all persons concerned. The joining
7 in any reorganization plan, or any stabilization and readjustment agreement, or any
8 proposed sale of assets which meets the approval of the division of banking does not
9 waive any rights under this chapter.

10 **SECTION 886.** 36.11 (6) (b) of the statutes is amended to read:

11 36.11 **(6)** (b) The board may not make a grant under par. (a) to a person if it
12 ~~receives a certification under s. 49.855 (7) that the person is delinquent in child~~
13 ~~support or maintenance payments or owes past support, medical expenses or birth~~
14 ~~expenses whose name appears on the statewide support lien docket under s. 49.854~~
15 ~~(2) (b), unless the person provides to the board a payment agreement that has been~~
16 ~~approved by the county child support agency under s. 59.53 (5) and that is consistent~~
17 ~~with rules promulgated under s. 49.858 (2) (a).~~

18 **SECTION 887.** 36.11 (36) of the statutes is created to read:

19 36.11 **(36)** AQUACULTURE DEMONSTRATION FACILITY. (a) The board, in
20 consultation with representatives of the aquaculture industry, shall operate the
21 aquaculture demonstration facility authorized under 1999 Wisconsin Act (this
22 act), section 9107 (1) (i) 3.

23 (b) The board shall ensure that the aquaculture demonstration facility
24 provides applied research and training to aquaculturists, including Native

1 American aquaculturists, and to personnel at state fish hatcheries and that the
2 research and training emphasize all of the following areas related to aquaculture:

- 3 1. Environmental impact.
- 4 2. Water quality.
- 5 3. Appropriate water use.
- 6 4. Fish health science.
- 7 5. Innovative aquaculture methods and practices.
- 8 6. Demonstration, education and outreach activities through the extension.

9 **SECTION 887d.** 36.11 (36m) of the statutes is created to read:

10 36.11 **(36m)** SCHOOL SAFETY RESEARCH. The board shall direct the schools of
11 education and other appropriate research-oriented departments within the system,
12 to work with the technical college system board under s. 38.04 (27), school districts,
13 private schools and the department of public instruction to present to school districts
14 and private schools the results of research on models for and approaches to
15 improving school safety and reducing discipline problems in schools and at school
16 activities.

17 **SECTION 887m.** 36.11 (37) of the statutes is created to read:

18 36.11 **(37)** EXTENSION LOCAL PLANNING PROGRAM. The board shall offer a local
19 planning program through the extension to educate local policymakers about local
20 planning and the grant program under s. 16.965.

21 **SECTION 887r.** 36.11 (38) of the statutes is created to read:

22 36.11 **(38)** STUDY OF PROGRAMS IN MARATHON COUNTY. The board shall study the
23 feasibility of expanding the offering of 4-year and graduate degree programs in
24 Marathon County when sufficient private funds or funds from a municipality, as
25 defined in s. 67.01 (5), have been raised to pay for the study. The board shall submit

1 a copy of the report under this subsection to the governor, and to the legislature under
2 s. 13.172 (2).

3 **SECTION 887s.** 36.11 (39) of the statutes is created to read:

4 36.11 (39) GAYLORD NELSON CHAIR OF INTEGRATED ENVIRONMENTAL STUDIES . The
5 board shall establish the Gaylord Nelson chair of integrated environmental studies
6 and seek private funding for this chair.

7 **SECTION 887t.** 36.11 (40) of the statutes is created to read:

8 36.11 (40) CENTER FOR COOPERATIVES. The board shall maintain a center for
9 cooperatives at the University of Wisconsin–Madison.

10 **SECTION 889.** 36.25 (14) of the statutes is amended to read:

11 36.25 (14) GRADUATE STUDENT FINANCIAL AID. The board shall establish a grant
12 program for minority and disadvantaged graduate students enrolled in the system.
13 The grants shall be awarded from the appropriation under s. 20.285 (4) (b). The
14 board shall give preference in awarding grants under this subsection to residents of
15 this state. The board may not make a grant under this subsection to a person if it
16 ~~receives a certification under s. 49.855 (7) that the person is delinquent in child~~
17 ~~support or maintenance payments or owes past support, medical expenses or birth~~
18 ~~expenses whose name appears on the statewide support lien docket under s. 49.854~~
19 ~~(2) (b), unless the person provides to the board a payment agreement that has been~~
20 ~~approved by the county child support agency under s. 59.53 (5) and that is consistent~~
21 ~~with rules promulgated under s. 49.858 (2) (a).~~

22 **SECTION 890m.** 36.25 (29g) of the statutes is created to read:

23 36.25 (29g) The board shall establish in the college of natural resources at the
24 University of Wisconsin–Stevens Point a center to conduct studies and research
25 relating to watershed management.

1 **SECTION 891.** 36.25 (30) of the statutes is amended to read:

2 36.25 **(30)** ~~HAZARDOUS POLLUTION~~ POLLUTION PREVENTION PROGRAM. The board
3 shall ~~establish~~ maintain in the extension a ~~hazardous pollution prevention program~~
4 solid and hazardous waste education center to promote ~~hazardous~~ pollution
5 prevention, as defined in s. 299.13 (1) (e) ~~(dm)~~. In cooperation with the department
6 of natural resources and the department of commerce, the ~~program~~ center shall
7 conduct an education and technical assistance program to promote ~~hazardous~~
8 pollution prevention in this state.

9 **SECTION 891b.** 36.25 (30g) of the statutes is amended to read:

10 36.25 **(30g)** RECYCLING MARKET DEVELOPMENT PROGRAM. The board shall
11 establish in the extension, ~~in cooperation with the recycling market development~~
12 ~~board~~, a program of education and technical assistance related to recycling market
13 development. The program shall serve waste generators, ~~as defined in s. 287.40 (4);~~
14 solid waste scrap brokers, dealers and processors; business entities that use or could
15 use recovered materials or that produce or could produce products from recovered
16 materials and persons who provide support services to those business entities; and
17 the general public.

18 **SECTION 891g.** 36.25 (44) of the statutes is created to read:

19 36.25 **(44)** INTERNATIONAL BUSINESS DEVELOPMENT. The University of
20 Wisconsin–Milwaukee shall collaborate with other institutions to develop and
21 implement programs and training for Wisconsin businesses and University of
22 Wisconsin System faculty in the area of international business development.

23 **SECTION 891k.** 36.25 (45) of the statutes is created to read:

1 **36.25 (45)** STRAY VOLTAGE RESEARCH. The board shall establish a stray voltage
2 research program to conduct research on all of the following in the order of priority
3 listed in pars. (a) to (e):

4 (a) Stray voltage problems on farms. The College of Agricultural and Life
5 Sciences of the University of Wisconsin–Madison shall conduct on–site research
6 under this paragraph.

7 (b) The nature of animal responses to stray voltage.

8 (c) Farms with potentially unique stray voltage problems.

9 (d) Field and economic performance analysis of electrical mitigation devices
10 and systems.

11 (e) Research recommended in the Minnesota Science Advisors’ Report to the
12 Minnesota Public Utilities Commission.

13 **SECTION 891m.** 36.27 (1) (a) of the statutes is amended to read:

14 **36.27 (1)** (a) Subject to ~~par.~~ pars. (am) and (c), the board may establish for
15 different classes of students differing tuition and fees incidental to enrollment in
16 educational programs or use of facilities in the system. Except as otherwise provided
17 in this section, the board may charge any student who is not exempted by this section
18 a nonresident tuition. The board may establish special rates of tuition and fees for
19 the extension and summer sessions and such other studies or courses of instruction
20 as the board deems advisable.

21 **SECTION 891r.** 36.27 (1) (am) of the statutes is created to read:

22 **36.27 (1)** (am) The board may not increase academic fees for resident
23 undergraduate students beyond an amount sufficient to fund all of the following:

24 1. In a fiscal year beginning in an even–numbered year, the amount shown in
25 the schedule under s. 20.285 (1) (im) for that fiscal year and in a fiscal year beginning

1 in an odd-numbered year, the highest amount shown in the schedule under s. 20.285
2 (1) (im) for that fiscal year in the substitute amendment, offered by the joint
3 committee on finance, to the biennial budget bill; the engrossed biennial budget bill;
4 or the enrolled biennial budget bill.

5 2. The approved recommendations of the secretary of employment relations for
6 compensation and fringe benefits for classified staff, for unclassified employees
7 specified in s. 230.12 (1) (a) 1. b. and for unclassified employees specified in s. 230.12
8 (3) (e). If these recommendations have not been approved by the joint committee on
9 employment relations by the time the board sets academic fees, the board may raise
10 academic fees for resident undergraduate students by an amount sufficient to fund
11 the recommendations of the secretary of employment relations for compensation and
12 fringe benefits for classified staff and for unclassified employees specified in s. 230.12
13 (1) (a) 1. b. and the board's recommendations for unclassified employees specified in
14 s. 230.12 (3) (e). If the secretary of employment relations has not made
15 recommendations by the time the board sets academic fees, the board may raise
16 academic fees for resident undergraduate students by an amount sufficient to fund
17 the board's estimate of compensation and fringe benefits for classified staff and for
18 unclassified employees specified in s. 230.12 (1) (a) 1. b. and the board's
19 recommendations for unclassified employees specified in s. 230.12 (3) (e). If the board
20 sets academic fees based upon the board's estimate and the board's unapproved
21 recommendations, and the recommendations of the board and the secretary of
22 employment relations as finally approved by the joint committee on employment
23 relations call for a lower rate of compensation and fringe benefits than the board's
24 estimate and unapproved recommendations, the board shall lower academic student
25 fees for resident undergraduate students for the next academic year by an amount

1 equal to the difference between the academic fees charged and an amount sufficient
2 to fund the approved recommendations. If the board sets academic fees based upon
3 the board's estimate and unapproved recommendations, and the recommendations
4 of the board and the secretary of employment relations as finally approved by the
5 joint committee on employment relations call for a higher rate of compensation and
6 fringe benefits than the board's estimate and unapproved recommendations, the
7 board may raise academic student fees for resident undergraduate students for the
8 next academic year by an amount equal to the difference between the academic fees
9 charged and an amount sufficient to fund the approved recommendations.

10 3. The projected loss in revenue caused by a change in the number of enrolled
11 undergraduate, graduate, resident and nonresident students from the previous
12 academic year.

13 4. State-imposed costs not covered by general purpose revenue, as determined
14 by the board. Beginning on December 15, 2000, and annually thereafter, the board
15 shall report costs under this subdivision to the secretary of administration.

16 5. Distance education, nontraditional courses and intersession courses.

17 6. Differential tuition that is approved by the board and that is not included
18 in the amount shown in the schedule under s. 20.285 (1) (im).

19 **SECTION 891s.** 36.27 (1) (b) of the statutes is created to read:

20 36.27 (1) (b) Beginning on December 15, 2000, and annually thereafter, the
21 board shall submit a report to the legislature under s. 13.172 (2) containing the
22 amount by which expenditures from s. 20.285 (1) (im) in the previous fiscal year
23 exceeded the amount shown in the schedule for that appropriation in the previous
24 fiscal year, the purposes for which the additional revenues were spent and the
25 amount spent for each purpose.

1 **SECTION 893.** 36.27 (4) (a) of the statutes is amended to read:

2 36.27 **(4)** (a) In the 1993–94 to ~~1998–99~~ 2000–01 academic years, the board may
3 annually exempt from nonresident tuition, but not from incidental or other fees, up
4 to 200 students enrolled at the University of Wisconsin–Parkside as juniors or
5 seniors in programs identified by that institution as having surplus capacity and up
6 to 150 students enrolled at the University of Wisconsin–Superior in programs
7 identified by that institution as having surplus capacity.

8 **SECTION 894.** 36.34 (1) (b) of the statutes is amended to read:

9 36.34 **(1)** (b) The board shall establish a grant program for minority
10 undergraduates enrolled in the system. The board shall designate all grants under
11 this subsection as Lawton grants. Grants shall be awarded from the appropriation
12 under s. 20.285 (4) (dd). The board may not make a grant under this subsection to
13 a person if it receives a certification under s. ~~49.855 (7)~~ that the person is delinquent
14 ~~in child support or maintenance payments or owes past support, medical expenses~~
15 ~~or birth expenses~~ whose name appears on the statewide support lien docket under
16 s. 49.854 (2) (b), unless the person provides to the board a payment agreement that
17 has been approved by the county child support agency under s. 59.53 (5) and that is
18 consistent with rules promulgated under s. 49.858 (2) (a).

19 **SECTION 894m.** 36.34 (1) (c) of the statutes is created to read:

20 36.34 **(1)** (c) 1. In this paragraph:

21 a. For purposes of determining the appropriation under s. 20.285 (4) (dd) for
22 fiscal year 2000–01, “base amount” means the amount shown in the schedule under
23 s. 20.005 for that appropriation for fiscal year 1999–2000.

1 b. For purposes of determining the appropriation under s. 20.285 (4) (dd) for
2 each fiscal year after fiscal year 2000–01, “base amount” means the appropriation
3 determined under subd. 2. for the previous fiscal year.

4 2. Annually, by February 1, the board shall determine the appropriation under
5 s. 20.285 (4) (dd) for the next fiscal year as follows:

6 a. The board shall determine the percentage by which the resident
7 undergraduate academic fees charged for the current academic year at each
8 institution within the University of Wisconsin System has increased or decreased
9 from the resident undergraduate academic fees charged for the previous academic
10 year.

11 b. The appropriation for the next fiscal year shall be the result obtained by
12 increasing, to the nearest \$100, the base amount by the highest percentage increase
13 determined under subd. 2. a., except that if the resident undergraduate academic
14 fees for the current academic year decreased or did not change from the resident
15 undergraduate academic fees charged for the previous academic year at each
16 institution specified in subd. 2. a., the appropriation shall be the base amount.

17 **SECTION 895.** 36.34 (2) of the statutes is repealed.

18 **SECTION 895m.** 36.36 of the statutes is created to read:

19 **36.36 Grants for study abroad.** From the appropriation under s. 20.285 (1)
20 (er), the board shall award a grant of \$2,000 to a resident undergraduate student to
21 assist in paying the costs associated with the student’s study abroad if the student
22 satisfies all of the following criteria:

23 **(1)** The student demonstrates financial need for the grant, as determined by
24 the board.

1 **(2)** The student is enrolled full-time in the system in the semester preceding
2 the student's study abroad.

3 **(3)** The student is enrolled in a program leading to an associate or bachelor's
4 degree.

5 **SECTION 895n.** 36.55 of the statutes is created to read:

6 **36.55 Reporting employment harassment and discrimination claims.**

7 By September 1 of each even-numbered year, the president shall submit a report to
8 the chief clerk of each house for distribution to the legislature under s. 13.172 (2) that
9 contains a description of each employment harassment or discrimination claim filed
10 against the board or an employe of the board and resolved in favor of the claimant,
11 the amount of any settlement paid to or judgment entered for the claimant and a
12 description of any discipline of board employes resulting from the resolution of the
13 claim.

14 **SECTION 895s.** 36.56 of the statutes is created to read:

15 **36.56 Grants for forestry cooperatives. (1)** From the appropriation under
16 s. 20.285 (1) (qm), the center for cooperatives under s. 36.11 (40) may award grants
17 to persons to form forestry cooperatives under ch. 185 that consist primarily of
18 private, nonindustrial owners of woodland. A grant recipient shall provide matching
19 funds equal to 50% of the grant amount awarded. The match may be in the form of
20 money or in-kind services or both, but may not include money received from the
21 state.

22 **(2)** In each fiscal year, the center for cooperatives may not encumber funds from
23 the appropriation under s. 20.285 (1) (qm) for administrative expenses if the
24 amounts encumbered in that fiscal year for administrative expenses exceed 5% of the
25 total expenditures from the appropriation for the fiscal year.

1 **SECTION 895t.** 38.04 (10) (d) of the statutes is created to read:

2 38.04 (10) (d) 1. In consultation with representatives of business and labor, the
3 board shall develop a separate approval process for district board proposals to
4 purchase or construct facilities to be used as applied technology centers under s.
5 38.15 (3) (c). The board may not approve a proposal unless the board determines that
6 all of the following apply:

7 a. The applied technology center is likely to maintain or increase the number
8 of jobs in the region served by the center that require a high level of skill and provide
9 high wages.

10 b. The productivity of employes who would be served by the center is likely to
11 increase.

12 c. One or more businesses in the region served by the center will pay for all of
13 the direct operating costs of services provided at the center and at least 20% of the
14 indirect operating costs of services provided at the center, pursuant to a contract
15 under s. 38.14 (3) (a), and will fund, either in cash or in kind, at least 30% of the
16 capital costs of the center.

17 d. The district board consulted with representatives of business and labor on
18 the development of the center.

19 2. By December 1 of the year in which a center approved under subd. 1. begins
20 operating, and annually thereafter by December 1, the district board shall report to
21 the board the change, since the center began operating, in the wages, productivity
22 and level of skill of the employes who have been directly served by the center.

23 **SECTION 896.** 38.04 (18) of the statutes is created to read:

1 **38.04 (18) STATEWIDE GUIDE.** Annually, the board shall produce, and distribute
2 to students, parents, high school personnel and others, a guide containing
3 information on all of the technical colleges and their programs.

4 **SECTION 896m.** 38.04 (27) of the statutes is created to read:

5 **38.04 (27) SCHOOL SAFETY.** The board shall work with schools of education and
6 other departments of the University of Wisconsin System under s. 36.11 (36m),
7 school districts, private schools and the department of public instruction to present
8 to school districts and private schools the results of research on models for and
9 approaches to improving school safety and reducing discipline problems in schools
10 and at school activities.

11 **SECTION 897e.** 38.15 (3) of the statutes is renumbered 38.15 (3) (intro.) and
12 amended to read:

13 **38.15 (3) (intro.)** This section ~~applies to building~~ does not apply to any of the
14 following:

15 (a) Building program actions approved by the board after January 31, 1980.
16 ~~This section does not apply to building~~ before February 1, 1980.

17 (b) Building remodeling or improvement projects.

18 **SECTION 897em.** 38.15 (3) (c) of the statutes is created to read:

19 **38.15 (3) (c)** A capital expenditure to purchase or construct a facility to be used
20 as an applied technology center if all of the following apply:

21 1. The district board adopts a resolution stating its intention to make a capital
22 expenditure under this paragraph.

23 2. The board approves the proposal under s. 38.04 (10) (d) 1.

24 3. The capital expenditure is made before January 1, 2002.

1 4. The total amount of capital expenditures made by the district board under
2 this paragraph does not exceed \$5,000,000.

3 **SECTION 897m.** 38.15 (5) of the statutes is renumbered 38.15 (3) (d) and
4 amended to read:

5 38.15 (3) (d) ~~This section does not apply to the~~ The acquisition of a building as
6 a result of a lease under s. 38.14 (2) (d) 2. if the district makes no cash expenditure
7 to acquire the building.

8 **SECTION 897s.** 38.18 of the statutes is amended to read:

9 **38.18 Contracts and bidding.** All contracts made by a district board for
10 public construction in a district, ~~the estimated cost of which exceeds \$10,000,~~ shall
11 be let by the district board to the lowest responsible bidder in accordance with s.
12 62.15 (1) to (11) and (14). For purposes of this section, the district board shall possess
13 the powers conferred by s. 62.15 on the board of public works and the common
14 council. All contracts made under this section shall be made in the name of the
15 district and shall be executed by the district board chairperson and district board
16 secretary.

17 **SECTION 898.** 38.28 (1m) (a) 1. of the statutes is amended to read:

18 38.28 (1m) (a) 1. “District aidable cost” means the annual cost of operating a
19 technical college district, including debt service charges for district bonds and
20 promissory notes for building programs or capital equipment, but excluding all
21 expenditures relating to auxiliary enterprises and community service programs, all
22 expenditures funded by or reimbursed with federal revenues, all receipts under ~~sub.~~
23 sub. (6) ~~and (7)~~ and ss. 38.12 (9), 38.14 (3) and (9), 118.15 (2) (a), 118.55 (7r) and
24 146.55 (5), all receipts from grants awarded under ss. 16.004 (14), 38.04 (8) and (20),

1 38.14 (11), 38.26, 38.27, 38.30, 38.31, 38.33 and 38.38, all fees collected under s. 38.24
2 and driver education and chauffeur training aids.

3 **SECTION 899.** 38.28 (2) (b) 5. of the statutes is created to read:

4 38.28 (2) (b) 5. The board shall reduce each district's aid payment under subd.
5 2. by the district's share of the amount necessary to produce and distribute the
6 statewide guide under s. 38.04 (18), as determined by the board.

7 **SECTION 900.** 38.28 (3) of the statutes is amended to read:

8 38.28 (3) ~~If the appropriation for state aid under s. 20.292 (1) (d) in any one year~~
9 ~~is insufficient to pay the full amount under sub. (2), state aid payments shall be~~
10 ~~prorated among the districts entitled thereto.~~ If the appropriation for state aid under
11 s. 20.292 (1) (fc) in any one year is insufficient to pay the full amount under subs. (2)
12 (c) and (g), funds in the appropriation shall be used first for the purposes of sub. (2)
13 (c) and any remaining funds shall be prorated among the districts entitled to support
14 under sub. (2) (g). If the appropriation for state aid under s. 20.292 (1) (fc) in any one
15 year is insufficient to pay the full amount under sub. (2) (c), funds in the
16 appropriation shall be prorated among the districts entitled to the funds.

17 **SECTION 901.** 38.28 (7) of the statutes is repealed.

18 **SECTION 901g.** 38.30 of the statutes is created to read:

19 **38.30 Grants to students. (1)** Beginning in the 2000–01 school year, the
20 board shall award a grant of \$500 to each first–year student who satisfies all of the
21 following criteria:

22 (a) The student enrolled in a district college within 3 years of graduating from
23 a high school in this state.

24 (b) The student is enrolled full time, as determined by the board, in an associate
25 degree program or a vocational diploma program.

1 (c) The student maintains a grade point average of at least 2.0.

2 **(2)** A student who received a grant under sub. (1) is eligible for an equivalent
3 grant in the following school year if he or she satisfies the criteria under sub. (1) (b)
4 and (c).

5 **(3)** Grants under this section shall be awarded from the appropriation under
6 s. 20.292 (1) (ep).

7 **(4)** The board shall promulgate rules to implement and administer this section,
8 including rules on refunding a grant if a student becomes ineligible for the grant.

9 **SECTION 901r.** 38.31 of the statutes is created to read:

10 **38.31 Grants for additional courses.** From the appropriation under s.
11 20.292 (1) (er), the board shall award grants to district boards for the purpose of
12 adding sections in courses in which student demand exceeds capacity. The board
13 shall promulgate rules establishing criteria for judging grant applications.

14 **SECTION 902.** 38.42 (4) of the statutes is amended to read:

15 **38.42 (4) RETRAINING FUND.** (a) A consortium of telecommunications companies
16 shall agree to contribute \$3,000,000 to the telecommunications retraining fund over
17 a 3–year period beginning on July 20, 1994. If the retraining fund is depleted within
18 3 years and if requested by the telecommunications retraining board, the consortium
19 shall contribute up to an additional \$1,000,000.

20 (c) Moneys contributed under this subsection shall be credited to the
21 appropriation under s. 20.292 (1) (gt).

22 **SECTION 903.** 38.42 (4) (b) of the statutes is created to read:

23 **38.42 (4) (b)** If the telecommunications retraining board determines that
24 additional contributions from telecommunications companies are necessary to fund
25 grants awarded under this section in the 1999–2000 fiscal year, the consortium shall

1 contribute additional amounts determined by the telecommunications retraining
2 board.

3 **SECTION 904.** 38.42 (6) of the statutes is amended to read:

4 38.42 (6) SUNSET. This section does not apply after June 30, 1999 2000.

5 **SECTION 907.** 39.285 (3) of the statutes is amended to read:

6 39.285 (3) By April 10, 1998, and annually thereafter, each tribally controlled
7 college in this state is requested to develop and submit to the board for its review
8 under sub. (1) a proposed formula for the awarding of grants under s. ~~39.30~~ 39.435,
9 except for grants awarded under s. 39.435 (2) or (5), for the upcoming academic year
10 to students enrolled at that tribally controlled college.

11 **SECTION 908.** 39.30 (2) (intro.) of the statutes is amended to read:

12 39.30 (2) ELIGIBILITY. (intro.) A resident student enrolled at least half-time and
13 registered as a freshman, sophomore, junior or senior in an accredited, nonprofit,
14 ~~post-high~~ post-high school, educational institution in this state ~~or in a tribally~~
15 ~~controlled college in this state~~ shall be eligible for grants under this section for each
16 semester of attendance, but:

17 **SECTION 909.** 39.30 (2) (e) of the statutes is amended to read:

18 39.30 (2) (e) The board may not make a grant to a student if ~~the board receives~~
19 ~~a certification under s. 49.855 (7) that the student is delinquent in child support or~~
20 ~~maintenance payments or owes past support, medical expenses or birth expenses~~
21 whose name appears on the statewide support lien docket under s. 49.854 (2) (b),
22 unless the student provides to the board a payment agreement that has been
23 approved by the county child support agency under s. 59.53 (5) and that is consistent
24 with rules promulgated under s. 49.858 (2) (a).

25 **SECTION 910.** 39.30 (2) (f) of the statutes is amended to read:

1 39.30 (2) (f) No grants may be awarded under this section unless the applicable
2 formula submitted under s. 39.285 (2) ~~or (3)~~ is approved or modified by the board
3 under s. 39.285 (1).

4 **SECTION 911.** 39.30 (3) (g) of the statutes is repealed.

5 **SECTION 912.** 39.38 (2) of the statutes is amended to read:

6 39.38 (2) Grants under this section shall be based on financial need, as
7 determined by the board. The maximum grant shall not exceed \$2,200 per year, of
8 which not more than \$1,100 may be from the appropriation under s. 20.235 (1) ~~(fb)~~
9 (k). State aid from this appropriation may be matched by a contribution from a
10 federally recognized American Indian tribe or band that is deposited in the general
11 fund and credited to the appropriation account under s. 20.235 (1) (gm). Grants shall
12 be awarded to students for full-time or part-time attendance at any accredited
13 institution of higher education in this state. The board may not make a grant under
14 this section to a student if the board receives a certification under s. 49.855 (7) that
15 the student is delinquent in child support or maintenance payments or owes past
16 support, medical expenses or birth expenses. Grants shall be renewable for up to 5
17 years if a recipient remains in good academic standing at the institution that he or
18 she is attending.

19 **SECTION 912c.** 39.38 (2) of the statutes, as affected by 1999 Wisconsin Act ...
20 (this act), is amended to read:

21 39.38 (2) Grants under this section shall be based on financial need, as
22 determined by the board. The maximum grant shall not exceed \$2,200 per year, of
23 which not more than \$1,100 may be from the appropriation under s. 20.235 (1) (k).
24 State aid from this appropriation may be matched by a contribution from a federally
25 recognized American Indian tribe or band that is deposited in the general fund and

1 credited to the appropriation account under s. 20.235 (1) (gm). Grants shall be
2 awarded to students for full-time or part-time attendance at any accredited
3 institution of higher education in this state. The board may not make a grant under
4 this section to a student ~~if the board receives a certification under s. 49.855 (7) that~~
5 ~~the student is delinquent in child support or maintenance payments or owes past~~
6 ~~support, medical expenses or birth expenses~~ whose name appears on the statewide
7 support lien docket under s. 49.854 (2) (b), unless the student provides to the board
8 a payment agreement that has been approved by the county child support agency
9 under s. 59.53 (5) and that is consistent with rules promulgated under s. 49.858 (2)
10 (a). Grants shall be renewable for up to 5 years if a recipient remains in good
11 academic standing at the institution that he or she is attending.

12 **SECTION 912f.** 39.41 (1) (bm) of the statutes is amended to read:

13 39.41 (1) (bm) “Senior” means a pupil enrolled in the 12th grade in a public or
14 private high school, the Wisconsin school School for the deaf and Deaf or the
15 Wisconsin school for the visually handicapped school operated by the Wisconsin
16 Center for the Blind and Visually Impaired.

17 **SECTION 912g.** 39.41 (1m) (c) 1. of the statutes is amended to read:

18 39.41 (1m) (c) 1. For the ~~Wisconsin school for the visually handicapped school~~
19 operated by the Wisconsin Center for the Blind and Visually Impaired, designate the
20 senior with the highest grade point average in all subjects as a scholar.

21 **SECTION 913m.** 39.41 (1m) (d) of the statutes is amended to read:

22 39.41 (1m) (d) By Except as provided in par. (dm), by February 15 of each school
23 year, if 2 or more seniors from the same high school of at least 80 pupils have the same
24 grade point average and, except for the limitation on the number of designated
25 scholars, are otherwise eligible for designation under par. (a), the faculty of the high

1 school shall select the applicable number of seniors for designation under par. (a) as
2 scholars and shall certify, in order of priority, any remaining seniors as alternates for
3 a scholar with the same grade point average. If a senior from that high school
4 designated as a scholar under par. (a) does not qualify for a higher education
5 scholarship under sub. (2) (a) or (3) (a), an alternate for the scholar with the same
6 grade point average as any senior from that high school designated as a scholar
7 under par. (a) shall be eligible for a higher education scholarship as a scholar under
8 sub. (2) (a) or (3) (a) until the scholarship may be awarded by the board.

9 **SECTION 913mr.** 39.41 (1m) (dm) of the statutes is created to read:

10 39.41 (1m) (dm) If the high school weights different courses differently to
11 determine a pupil's grade point average, the faculty of the high school shall select for
12 each scholar designated under par. (d) a senior with the same grade point average
13 as an alternate for the scholar, or, if there is not another pupil with the same grade
14 point average, a senior with the next highest grade point average as an alternate for
15 the scholar.

16 **SECTION 913ms.** 39.41 (1m) (e) of the statutes is amended to read:

17 39.41 (1m) (e) If Except as provided under par. (em), if 2 or more seniors from
18 the same high school of less than 80 pupils have the same grade point average and,
19 except for the limitation of one nominated senior, are otherwise eligible for
20 nomination under par. (b), the faculty of the high school shall select the senior who
21 may be nominated by the school board of the school district operating the public high
22 school or the governing body of the private high school for designation under par. (b)
23 as a scholar by the executive secretary. If that senior is designated as a scholar by
24 the executive secretary and does not qualify for a higher education scholarship under
25 sub. (2) (a) or (3) (a), faculty of the high school shall select one or more of the

1 remaining seniors with the same grade point average for certification as a scholar
2 and the school board of the school district operating the high school or the governing
3 body of the private high school shall certify to the board one or more of these seniors
4 as eligible for a higher education scholarship as a scholar under sub. (2) (a) or (3) (a)
5 until the scholarship may be awarded by the board.

6 **SECTION 913mt.** 39.41 (1m) (em) of the statutes is created to read:

7 39.41 **(1m)** (em) If the high school weights different courses differently to
8 determine a pupil's grade point average, and the senior designated as a scholar by
9 the executive secretary under par. (e) does not qualify for a higher education
10 scholarship under sub. (2) (a) or (3) (a), the faculty of the high school shall select one
11 senior with the same grade point average for certification as a scholar, or, if there is
12 no senior with the same grade point average, one senior with the next highest grade
13 point average for certification as a scholar, and the school board of the school district
14 operating the high school or the governing body of the private high school shall
15 certify to the board the selected senior as eligible for a higher education scholarship
16 as a scholar under sub. (2) (a) or (3) (a) until the scholarship may be awarded by the
17 board.

18 **SECTION 913mv.** 39.41 (1m) (f) of the statutes is amended to read:

19 39.41 **(1m)** (f) If 2 or more seniors from the ~~Wisconsin school for the visually~~
20 ~~handicapped school operated by the Wisconsin Center for the Blind and Visually~~
21 Impaired have the same grade point average and, except for the limitation of one
22 designated senior, are otherwise eligible for designation under par. (c) 1., the
23 executive secretary shall make the designation under par. (c) 1. of the senior who may
24 be eligible for a higher education scholarship as a scholar and, if that senior does not
25 qualify for a higher education scholarship under sub. (2) (a) or (3) (a), shall designate

1 one or more of the remaining seniors with the same grade point average as eligible
2 for a higher education scholarship as a scholar under sub. (2) (a) or (3) (a) until the
3 scholarship may be awarded by the board.

4 **SECTION 915.** 39.435 (1) of the statutes is amended to read:

5 39.435 (1) There is established, to be administered by the board, a higher
6 education grant program for postsecondary resident students enrolled at least
7 half-time and registered as freshmen, sophomores, juniors or seniors in accredited
8 institutions of higher education or in tribally controlled colleges in this state. Except
9 as authorized under sub. (5), such grants shall be made only to students enrolled in
10 nonprofit public institutions or tribally controlled colleges in this state.

11 **SECTION 916.** 39.435 (4) (a) of the statutes is amended to read:

12 39.435 (4) (a) The board shall ~~promulgate rules establishing policies and~~
13 ~~procedures for determining dependent and independent status and for the~~
14 ~~calculation of~~ award grants under this section based on a formula that accounts for
15 expected parental and student contributions. ~~The rules shall be~~ and is consistent
16 with generally accepted definitions and nationally approved needs analysis
17 methodology.

18 **SECTION 917.** 39.435 (4) (b) and (c) of the statutes are repealed.

19 **SECTION 918.** 39.435 (6) of the statutes is amended to read:

20 39.435 (6) The board may not make a grant under this section to a person if ~~the~~
21 ~~board receives a certification under s. 49.855 (7) that the person is delinquent in child~~
22 ~~support or maintenance payments or owes past support, medical expenses or birth~~
23 ~~expenses~~ whose name appears on the statewide support lien docket under s. 49.854
24 (2) (b), unless the person provides to the board a payment agreement that has been

1 approved by the county child support agency under s. 59.53 (5) and that is consistent
2 with rules promulgated under s. 49.858 (2) (a).

3 **SECTION 918g.** 39.435 (7) of the statutes is created to read:

4 39.435 (7) (a) In this subsection:

5 1. For purposes of determining the appropriation under s. 20.235 (1) (fe) for
6 fiscal year 2000–01, “base amount” means the amount shown in the schedule under
7 s. 20.005 for that appropriation for fiscal year 1999–2000.

8 2. For purposes of determining the appropriation under s. 20.235 (1) (fe) for
9 each fiscal year after fiscal year 2000–01, “base amount” means the maximum
10 appropriation amount determined under par. (b) for the previous fiscal year.

11 (b) Annually, by February 1, the board shall determine the appropriation
12 under s. 20.235 (1) (fe) for the next fiscal year as follows:

13 1. The board shall determine the percentage by which the resident
14 undergraduate academic fees charged for the current academic year at each
15 institution within the University of Wisconsin System has increased or decreased
16 from the resident undergraduate academic fees charged for the previous academic
17 year.

18 2. The appropriation for the next fiscal year shall be the result obtained by
19 increasing, to the nearest \$100, the base amount by the highest percentage increase
20 determined under subd. 1., except that if the resident undergraduate academic fees
21 for the current academic year decreased or did not change from the resident
22 undergraduate academic fees charged for the previous academic year at each
23 institution specified in subd. 1., the appropriation shall be the base amount.

24 **SECTION 918r.** 39.435 (8) of the statutes is created to read:

25 39.435 (8) (a) In this subsection:

1 1. For purposes of determining the appropriation under s. 20.235 (1) (fd) for
2 fiscal year 2000–01, “base amount” means the amount shown in the schedule under
3 s. 20.005 for that appropriation for fiscal year 1999–2000.

4 2. For purposes of determining the appropriation under s. 20.235 (1) (fd) for
5 each fiscal year after fiscal year 2000–01, “base amount” means the maximum
6 appropriation amount determined under par. (b) for the previous fiscal year.

7 (b) Annually, by February 1, the board shall determine the appropriation
8 under s. 20.235 (1) (fd) for the next fiscal year as follows:

9 1. The board shall determine the percentage by which the resident
10 undergraduate academic fees charged for the current academic year at each
11 institution within the University of Wisconsin System has increased or decreased
12 from the resident undergraduate academic fees charged for the previous academic
13 year.

14 2. The appropriation for the next fiscal year shall be the result obtained by
15 increasing, to the nearest \$100, the base amount by the highest percentage increase
16 determined under subd. 1., except that if the resident undergraduate academic fees
17 for the current academic year decreased or did not change from the resident
18 undergraduate academic fees charged for the previous academic year at each
19 institution specified in subd. 1., the appropriation shall be the base amount.

20 **SECTION 919.** 39.44 (4) of the statutes is amended to read:

21 39.44 (4) The board shall notify an institution or school receiving funds under
22 sub. (2) if ~~the board receives a certification under s. 49.855 (7) that a student is~~
23 ~~delinquent in child support or maintenance payments or owes past support, medical~~
24 ~~expenses or birth expenses~~ a student’s name appears on the statewide support lien
25 docket under s. 49.854 (2) (b). An institution or school may not award a grant under

1 this section to a student if it receives a notification under this subsection concerning
2 that student, unless the student provides to the institution or school a payment
3 agreement that has been approved by the county child support agency under s. 59.53
4 (5) and that is consistent with rules promulgated under s. 49.858 (2) (a).

5 **SECTION 920.** 39.47 (2m) of the statutes is amended to read:

6 39.47 **(2m)** No resident of this state whose name appears on the statewide
7 support lien docket under s 49.854 (2) (b) may receive a waiver of nonresident tuition
8 under this section if the ~~board receives a certification under s. 49.855 (7) that the~~
9 ~~resident is delinquent in child support or maintenance payments or owes past~~
10 ~~support, medical expenses or birth expenses,~~ unless the resident provides to the
11 board a payment agreement that has been approved by the county child support
12 agency under s. 59.53 (5) and that is consistent with rules promulgated under s.
13 49.858 (2) (a).

14 **SECTION 921m.** 39.51 (title) and (1) (a) to (d) of the statutes are renumbered
15 45.54 (title) and (1) (a) to (d).

16 **SECTION 923.** 39.51 (1) (e) of the statutes is renumbered 45.54 (1) (e) (intro.) and
17 amended to read:

18 45.54 **(1)** (e) (intro.) “School” ~~means any person, located within or outside this~~
19 ~~state, maintaining, advertising or conducting any course or course of instruction for~~
20 ~~profit or a tuition charge; but in subs. (7), (8) and (10) “school” means any private~~
21 ~~trade, correspondence, business or technical school not excepted under sub. (9).~~ but
22 does not include any of the following:

23 **SECTION 923m.** 39.51 (1) (f) and (g) of the statutes are renumbered 45.54 (1)
24 (f) and (g).

1 **SECTION 925m.** 39.51 (2) to (8) of the statutes are renumbered 45.54 (2) to (8),
2 and 45.54 (5), as renumbered, is amended to read:

3 45.54 (5) EMPLOYES, QUARTERS. The board shall employ a person to perform the
4 duties of an executive secretary and such other persons under the classified service
5 as may be necessary to carry out its purpose. The person performing the duties of
6 the executive secretary shall be in charge of the administrative functions of the
7 board. The board shall, to the maximum extent practicable, keep its office with the
8 ~~higher educational aids board~~ department of veterans affairs.

9 **SECTION 927.** 39.51 (9) (title) and (intro.) of the statutes are repealed.

10 **SECTION 928.** 39.51 (9) (a) to (h) of the statutes are renumbered 45.54 (1) (e) 1.
11 to 8.

12 **SECTION 929m.** 39.51 (10) of the statutes is renumbered 45.54 (10).

13 **SECTION 930t.** 40.02 (17) (g) of the statutes is repealed.

14 **SECTION 930v.** 40.02 (17) (gm) of the statutes is created to read:

15 40.02 (17) (gm) Any assistant district attorney in a county having a population
16 of 500,000 or more who did not have vested benefit rights under the retirement
17 system established under chapter 201, laws of 1937, who became a participating
18 employe on January 1, 1990, and who is a participating employe on the effective date
19 of this paragraph [revisor inserts date], shall receive creditable service for the
20 total period of his or her service under the retirement system established under
21 chapter 201, laws of 1937.

22 **SECTION 930vc.** 40.02 (25) (b) 1. of the statutes is amended to read:

23 40.02 (25) (b) 1. Any teacher who is employed by the university for an expected
24 duration of not less than 6 months on at least a one-third full-time employment
25 basis and who is not described in subd. 1m.;

1 **SECTION 930vq.** 40.02 (25) (b) 1m. of the statutes is created to read:

2 40.02 **(25)** (b) 1m. Any teacher who is a participating employe and who is
3 employed by the university for an expected duration of not less than 6 months on at
4 least a one–third full–time employment basis;

5 **SECTION 930wb.** 40.02 (26) (intro.) of the statutes is amended to read:

6 40.02 **(26)** (intro.) “Employe” means any person who receives earnings as
7 payment for personal services rendered for the benefit of any employer including
8 officers of the employer, except as provided in subch. X. An employe is deemed to
9 have separated from the service of an employer at the end of the day on which the
10 employe last performed services for the employer, or, if later, the day on which the
11 employe–employer relationship is terminated because of the expiration or
12 termination of leave without pay, sick leave, vacation or other leave of absence. A
13 person shall not be considered an employe if a person:

14 **SECTION 930wm.** 40.02 (26) (intro.) of the statutes, as affected by 1999
15 Wisconsin Act (this act), section 930wb, is amended to read:

16 40.02 **(26)** (intro.) “Employe” means any person who receives earnings as
17 payment for personal services rendered for the benefit of any employer including
18 officers of the employer, ~~except as provided in subch. X~~. An employe is deemed to
19 have separated from the service of an employer at the end of the day on which the
20 employe last performed services for the employer, or, if later, the day on which the
21 employe–employer relationship is terminated because of the expiration or
22 termination of leave without pay, sick leave, vacation or other leave of absence. A
23 person shall not be considered an employe if a person:

24 **SECTION 931b.** 40.02 (28) of the statutes is amended to read:

1 40.02 **(28)** “Employer” means the state, including each state agency, any
2 county, city, village, town, school district, other governmental unit or
3 instrumentality of 2 or more units of government now existing or hereafter created
4 within the state and any federated public library system established under s. 43.19
5 whose territory lies within a single county with a population of 500,000 or more, a
6 local exposition district created under subch. II of ch. 229 and a family care district
7 created under s. 46.2895, except as provided under ss. 40.51 (7) and 40.61 (3), ~~or a~~
8 ~~local exposition district created under subch. II of ch. 229 and subch. X.~~ Each
9 employer shall be a separate legal jurisdiction for OASDHI purposes.

10 **SECTION 931c.** 40.02 (28) of the statutes, as affected by 1999 Wisconsin Act ...
11 (this act), section 931b, is amended to read:

12 40.02 **(28)** “Employer” means the state, including each state agency, any
13 county, city, village, town, school district, other governmental unit or
14 instrumentality of 2 or more units of government now existing or hereafter created
15 within the state and any federated public library system established under s. 43.19
16 whose territory lies within a single county with a population of 500,000 or more, a
17 local exposition district created under subch. II of ch. 229 and a family care district
18 created under s. 46.2895, except as provided under ss. 40.51 (7) and 40.61 (3) and
19 ~~subch. X.~~ Each employer shall be a separate legal jurisdiction for OASDHI purposes.

20 **SECTION 932.** 40.02 (36) of the statutes is amended to read:

21 40.02 **(36)** “Governing body” means the legislature or the head of each state
22 agency with respect to employees of that agency for the state, the common council in
23 cities, the village board in villages, the town board in towns, the county board in
24 counties, the school board in school districts, or the board, commission or other
25 governing body having the final authority for any other unit of government, for any

1 agency or instrumentality of 2 or more units of government, for any federated public
2 library system established under s. 43.19 whose territory lies within a single county
3 with a population of 500,000 or more or, for a local exposition district created under
4 subch. II of ch. 229 or for a family care district created under s. 46.2895.

5 **SECTION 935.** 40.02 (48) (am) of the statutes is amended to read:

6 40.02 **(48)** (am) “Protective occupation participant” includes any participant
7 whose name is certified to the fund as provided in s. 40.06 (1) (d) and (dm) and who
8 is a conservation warden, conservation patrol boat captain, conservation patrol boat
9 engineer, conservation pilot, conservation patrol officer, forest fire control assistant,
10 member of the state traffic patrol, state motor vehicle inspector, police officer, fire
11 fighter, sheriff, undersheriff, deputy sheriff, state probation and parole officer,
12 county traffic police officer, state forest ranger, fire watcher employed by the
13 Wisconsin veterans home, state correctional–psychiatric officer, excise tax
14 investigator employed by the department of revenue, special criminal investigation
15 agent in the department of justice, assistant or deputy fire marshal, or person
16 employed under s. 61.66 (1).

17 **SECTION 936.** 40.02 (48) (b) 4. of the statutes is created to read:

18 40.02 **(48)** (b) 4. A “member of the state traffic patrol” includes one division
19 administrator in the department of transportation who is counted under s. 230.08
20 (2) (e) 12. and whose duties include supervising the state traffic patrol, if the division
21 administrator is certified by the law enforcement standards board under s. 165.85
22 (4) (b) 1. as being qualified to be a law enforcement officer.

23 **SECTION 936t.** 40.03 (2) (g) of the statutes is amended to read:

24 40.03 **(2)** (g) Shall submit once each year to each participant currently making
25 contributions, and to any other participant upon request or as in the secretary’s

1 judgment is desirable, a statement of the participant's account together with
2 appropriate explanatory material. The secretary shall ensure that the participant's
3 social security number does not appear on the statement.

4 **SECTION 939t.** 40.05 (2) (bz) of the statutes is created to read:

5 40.05 (2) (bz) The employer contribution rate determined under par. (b) for the
6 department of administration shall be adjusted to reflect the cost of granting
7 creditable service under s. 40.02 (17) (gm) and that rate shall be sufficient to amortize
8 the unfunded prior service liability of the department of administration over the
9 remainder of the 40-year amortization period under par. (b).

10 **SECTION 940c.** 40.05 (4) (a) 2. of the statutes is amended to read:

11 40.05 (4) (a) 2. For an insured employe who is an eligible employe under s. 40.02
12 (25) (a) 2. or (b) 1m. or 2m., the employer shall pay required employer contributions
13 toward the health insurance premium of the insured employe beginning on the date
14 on which the employe becomes insured. For an insured employe who is currently
15 employed but who is not an eligible employe under s. 40.02 (25) (a) 2. or (b) 1m. or
16 2m., the employer shall pay required employer contributions toward the health
17 insurance premium of the insured employe beginning on the first day of the 7th
18 month beginning after the date on which the employe begins employment with the
19 state, not including any leave of absence.

20 **SECTION 940d.** 40.05 (4) (ag) 2. of the statutes is amended to read:

21 40.05 (4) (ag) 2. For eligible employes not specified in subd. 1., 90% of the gross
22 premium for the standard health insurance plan offered to state employes by the
23 group insurance board or 105% of the gross premium, excluding any premium cost
24 related to the point-of-service option plan required to be offered under s. 609.10, of
25 the alternative qualifying plan offered under s. 40.03 (6) that is the least costly

1 qualifying plan within the county in which the alternate plan is located, whichever
2 is lower, but not more than the total amount of the premium. Employer contributions
3 for employees who select the standard plan shall be based on their county of residence.
4 Qualifying health insurance plans shall be determined in accordance with standards
5 established by the group insurance board.

6 **SECTION 940tc.** 40.41 (6) (b) of the statutes is amended to read:

7 40.41 **(6)** (b) Services performed by ~~a student or~~ a member of a board or
8 commission, except members of governing bodies, in a position or office which does
9 not normally require actual performance of duty for at least 600 hours in each
10 calendar year. For purposes of this paragraph, a “board” or “commission” is a body
11 referred to in the statutes as a board or commission.

12 **SECTION 940tr.** 40.41 (6) (c) of the statutes is created to read:

13 40.41 **(6)** (c) Service performed in the employ of a school, college or university,
14 if the service is performed by a student who is enrolled and regularly attending
15 classes at the school, college or university.

16 **SECTION 944m.** 40.63 (1) (c) of the statutes is amended to read:

17 40.63 **(1)** (c) The employe is not entitled to any earnings from the employer and
18 the employer has certified that it has paid to the employe all earnings to which the
19 employe is entitled, that the employe is on a leave of absence and is not expected to
20 resume active service, or that the employe’s participating employment has been
21 terminated, because of a disability as described in par. (b) and as a consequence the
22 employe is not entitled to any earnings from the employer. In this paragraph,
23 “earnings” does not include bonus compensation to which the employe is was entitled
24 under s. 25.156 (7) (a), 1997 stats.

25 **SECTION 944w.** 40.82 (3) of the statutes is created to read:

1 the expiration or termination of leave without pay, sick leave, vacation or other leave
2 of absence. A person shall not be considered an employe if any of the following
3 applies:

4 1. The person is employed under a contract involving the furnishing of more
5 than personal services.

6 2. The person is customarily engaged in an independently established trade,
7 business or profession providing the same type of services to more than one employer
8 and the person's services to an employer are not compensated for on a payroll of that
9 employer.

10 3. The person is a patient or inmate of a hospital, home or institution and
11 performs services in the hospital, home or institution.

12 (d) "Employer" means any person doing business or operating an organization
13 in this state and employing at least 2 employes, except that for a person operating
14 a farm business the person must employ at least one employe. "Employer" does not
15 include an employer as defined in s. 40.02 (28).

16 (e) "Health care coverage program" means the health care coverage program
17 established under sub. (2) (a).

18 (f) "Insurer" has the meaning given in s. 600.03 (27).

19 (g) "Nontherapeutic abortion" means an abortion that is not directly and
20 medically necessary to prevent the death of the woman.

21 **(2)** (a) 1. The department shall design an actuarially sound health care
22 coverage program for employers that includes more than one group health care
23 coverage plan and that provides coverage beginning not later than January 1, 2001.
24 The health care coverage program shall be known as the "Private Employer Health
25 Care Purchasing Alliance". In designing the health care coverage program, the

1 department shall consult with the office of the commissioner of insurance and may
2 consult with the departments of commerce and health and family services. The
3 health care coverage program may not be implemented until it is approved by the
4 board.

5 2. The department shall solicit and accept bids and make every reasonable
6 effort to enter into a contract for the administration of the health care coverage plans
7 under the program, based on criteria established by the board. If the department has
8 not entered into a contract for the administration of the health care coverage plans
9 under the program for coverage to begin before January 1, 2001, the department
10 shall submit a report to the cochairpersons of the joint committee on finance
11 specifying the department's reasons for not entering into a contract. After
12 submitting the report to the cochairpersons of the joint committee on finance, the
13 department shall provide all administrative services necessary for the provision of
14 the health care coverage plans under the program. During the period that the
15 department is providing the administrative services, the department shall continue
16 to make every reasonable effort to contract for the administration of the health care
17 coverage plans under the program.

18 3. The administrator selected under subd. 2., or the department if no
19 administrator has been selected under subd. 2., shall enter into contracts with
20 insurers who are to provide health care coverage under the health care coverage
21 program.

22 4. The department shall solicit and accept bids and shall enter into a contract
23 for marketing the health care coverage program.

24 5. The department shall maintain a toll-free telephone number to provide
25 information on the health care coverage program.

1 (b) Every health care coverage plan under the health care coverage program
2 is subject to the provisions of chs. 600 to 646 that apply to group health benefit plans,
3 as defined in s. 632.745 (9), to the same extent as any other group health benefit plan,
4 as defined in s. 632.745 (9).

5 (bm) No health care coverage plan under the health care coverage program may
6 provide coverage of a nontherapeutic abortion except by an optional rider or
7 supplemental coverage provision that is offered and provided on an individual basis
8 and for which an additional, separate premium or charge is paid by the individual
9 to be covered under the rider or supplemental coverage provision. Only funds
10 attributable to premiums or charges paid for coverage under the rider or
11 supplemental coverage provision may be used for the payment of any claim, and
12 related administrative expenses, that relates to a nontherapeutic abortion. Such
13 funds may not be used for the payment of any claim or administrative expenses that
14 relate to any other type of coverage provided by the insurer under the health care
15 coverage plan. Nothing in this paragraph requires an insurer or an employer to offer
16 or provide coverage of an abortion under a health care coverage plan under the health
17 care coverage program.

18 (c) The health care coverage program established under par. (a), or any health
19 care coverage plan included in the program, may not be combined with any health
20 care coverage plan under subch. IV.

21 (d) All insurance rates for health care coverage under the program shall be
22 published annually in a single publication that is made available to employers and
23 employees. The rates may be listed by county or by any other regional factor that the
24 board considers appropriate.

1 (e) All plans under the health care coverage program shall have an enrollment
2 period that is established by the board.

3 (f) 1. If the department has selected an administrator under par. (a) 2., the
4 administrator shall charge employers who participate in the health care coverage
5 program a fee to cover the cost of administrative services for the health care coverage
6 program. The administrator shall reimburse the department for the expenses
7 incurred by the department in designing, marketing and contracting for
8 administrative services for the program. All moneys received by the department
9 under this subdivision shall be credited to the appropriation account under s. 20.515
10 (2) (g).

11 2. If the department has not selected an administrator under par. (a) 2., the
12 department shall charge employers who participate in the health care coverage
13 program a fee to cover the costs incurred by the department in designing, marketing
14 and providing administrative services for the health care coverage program. All
15 moneys received by the department under this subdivision shall be credited to the
16 appropriation account under s. 20.515 (2) (g).

17 (g) The department may not sell any health care coverage under the health care
18 coverage program to an employer or enroll any employee in the health care coverage
19 program, but the department shall make information about the program available
20 to employers on a statewide basis.

21 **(3)** Any employer who participates in the health care coverage program shall
22 do all of the following:

23 (a) Offer health care coverage under one or more plans to all of its permanent
24 employees who have a normal work week of 30 or more hours and may offer health
25 care coverage under one or more plans to any of its other employees.

1 (b) Provide health care coverage under one or more plans to at least 50% of its
2 permanent employees who have a normal work week of 30 or more hours and who do
3 not otherwise receive health care coverage as a dependent under any other plan that
4 is not offered by the employer or a percentage of such employees specified by the board,
5 whichever percentage is greater.

6 (c) Pay for each employe at least 50% but not more than 100% of the lowest
7 premium rate that would be available to the employer for that employe's coverage
8 under the health care coverage program.

9 (d) Make premium payments for the health care coverage of its employees in the
10 manner specified by the board.

11 **(4)** Any employer that provides health care coverage for its employees under the
12 program and that voluntarily terminates coverage under the program is not eligible
13 to participate in the program for at least 3 years from the date that coverage is
14 terminated.

15 **(5)** Any insurer that offers a health care coverage plan under the health care
16 coverage program shall provide coverage under the plan to any employer that applies
17 for coverage, and to all of the employer's employees who elect coverage under the
18 health care coverage plan, without regard to the health condition or claims
19 experience of any individual who would be covered under the health care coverage
20 plan if all of the following apply:

21 (a) The employer agrees to pay the premium required for coverage under the
22 health care coverage plan.

23 (b) The employer agrees to comply with all provisions of the health care
24 coverage plan that apply generally to a policyholder or an insured without regard to
25 health condition or claims experience.

1 **(6)** (a) Health care coverage under the health care coverage program may only
2 be sold by insurance agents licensed under ch. 628.

3 (b) An insurance agent may not sell any health care coverage under the health
4 care coverage program on behalf of an insurer unless he or she is employed by the
5 insurer or has a contract with the insurer to sell the health care coverage on behalf
6 of the insurer.

7 (c) The board shall set, and may adjust as often as semiannually, the
8 commission rate for the sale of a policy under the health care coverage program. The
9 rate shall be based on the average commission rate that insurance agents are paid
10 in the state for the sale of comparable health insurance policies at the time that the
11 rate is set or adjusted.

12 (d) An insurer shall specify on the first page of any policy sold under the health
13 care coverage program the amount of the commission paid to the insurance agent.

14 **(7)** (a) Annually, on or before December 31, the board shall submit a report to
15 the appropriate standing committees under s. 13.172 (3) and to the governor on the
16 operation of the health care coverage program. The report shall specify the number
17 of employers and employes participating in the health care coverage program,
18 calculate the costs of the health care coverage program to employers and their
19 employes and include recommendations for improving the health care coverage
20 program.

21 (b) No later than January 1, 2008, the board shall submit a report to the
22 appropriate standing committees under s. 13.172 (3) and to the governor that offers
23 recommendations as to whether the department should continue to be involved in
24 the design, marketing and contracting for administrative services for the health care
25 coverage program. If the board recommends that the department not be involved in

1 the performance of these functions, the board shall submit proposed legislation
2 eliminating the department's involvement in the performance of these functions to
3 the appropriate standing committees under s. 13.172 (3) at the time that the board
4 submits its report.

5 **SECTION 944yr.** Subchapter X of chapter 40 [precedes 40.98] of the statutes, as
6 created by 1999 Wisconsin Act (this act), section 944ym, is repealed.

7 **SECTION 944yt.** 41.11 (4m) of the statutes is created to read:

8 41.11 **(4m)** ACCESS TO CUSTOMER INFORMATION; FEES. (a) Notwithstanding s.
9 19.35, the department may refuse to reveal names, addresses and related
10 demographic information maintained on any list that the department has compiled
11 of persons who have requested information about travel opportunities in the state.
12 The department may not refuse to reveal such information to representatives of the
13 news media.

14 (b) Notwithstanding s. 19.71, if the department provides information from a list
15 of persons requesting travel information, the department may charge the person
16 requesting the information a fee to recover the department's actual costs of compiling
17 and providing the information. The department may reduce or waive the fee under
18 this subsection if the department determines that the reduction or waiver is in the
19 public interest.

20 **SECTION 945am.** 41.17 (2) of the statutes is amended to read:

21 41.17 **(2)** ELIGIBILITY. Any public or private organization not organized or
22 incorporated for profit, including a tribal organization of a federally recognized
23 American Indian tribe or band in this state, and any elected governing body of a
24 federally recognized American Indian tribe or band in this state may apply to the
25 department for joint effort marketing funds under this section. Prior to applying for

1 such funds, each prospective applicant shall have submitted, at the time and in the
2 manner provided by departmental rule, a plan and budget specifying the media to
3 be used, the market to be approached, the facilities and attractions to be promoted
4 and the applicant's estimated expenditures and receipts for the various projects
5 within the plan. If such plan is coordinated with the statewide marketing strategy,
6 the department shall approve it and the submitting organization or governing body
7 shall be eligible to apply for joint effort marketing funds under this section.

8 **SECTION 945ar.** 41.17 (3) (intro.) of the statutes is amended to read:

9 41.17 (3) WRITTEN AGREEMENTS. (intro.) Each joint effort marketing project
10 shall be implemented by a written agreement between the department and the
11 applicant organization, ~~which~~ or governing body. The agreement shall specify at a
12 minimum:

13 **SECTION 945b.** 41.17 (4) (a) of the statutes is amended to read:

14 41.17 (4) (a) No state funds may be released for a project ~~which~~ that is not
15 included within an advertising plan and budget submitted by an eligible
16 organization or governing body and approved by the department.

17 **SECTION 945c.** 41.17 (5) of the statutes is created to read:

18 41.17 (5) FUNDING SOURCE. Subject to the 50% limitation under s. 20.380 (1) (b)
19 and the proportional expenditure requirements under s. 20.380 (1) (b) and (kg), the
20 department shall expend, from the appropriations under s. 20.380 (1) (b) and (kg),
21 at least \$1,130,000 in the aggregate in each fiscal year in joint effort marketing funds
22 under this section.

23 **SECTION 945d.** 41.41 (7) (cm) of the statutes is created to read:

1 41.41 (7) (cm) Acquire development rights in land any portion of which is
2 approved by the department for inclusion in the Kickapoo valley reserve. Purchases
3 under this paragraph are subject to the approval of the governor under s. 20.914 (1).

4 **SECTION 945dc.** 42.035 of the statutes is created to read:

5 **42.035 Treatment of certain state fair park board employes.**

6 Notwithstanding s. 230.08 (2) (pm), those employes holding positions in the
7 classified service at the state fair park board on the effective date of this section ...
8 [revisor inserts date], who have achieved permanent status in class before that date,
9 shall retain, while serving in the unclassified service at the state fair park board,
10 those protections afforded employes in the classified service under ss. 230.34 (1) (a)
11 and 230.44 (1) (c) relating to demotion, suspension, discharge, layoff or reduction in
12 base pay. Those employes of the state fair park board on the effective date of this
13 section ... [revisor inserts date], who have not achieved permanent status in class
14 in any position at the state fair park board on that date are eligible to receive the
15 protections, privileges and rights preserved under this section if they successfully
16 complete service equivalent to the probationary period required in the classified
17 service for the position that they hold on that date.

18 **SECTION 945dd.** 43.17 (9) (a) of the statutes is amended to read:

19 43.17 (9) (a) All contracts for public construction, ~~the estimated cost of which~~
20 ~~exceeds \$5,000,~~ made by a federated public library system whose territory lies within
21 2 or more counties or by a federated public library system whose territory lies within
22 a single county with a population of at least 500,000 shall be let by the public library
23 system board to the lowest responsible bidder in accordance with s. 62.15 (1) to (11)
24 and (14). For purposes of this section, the system board possesses the powers
25 conferred by s. 62.15 on the board of public works and the common council. All

1 contracts made under this section shall be made in the name of the federated public
2 library system and shall be executed by the system board president and such other
3 board officer as the system board designates.

4 **SECTION 945de.** 43.24 (1) (intro.) of the statutes is amended to read:

5 43.24 (1) (intro.) Each public library system shall be paid state aid for the
6 operation and maintenance of the system. The Except as provided in pars. (b) and
7 (c), the amount paid to each system shall be determined as follows:

8 **SECTION 945dh.** 43.24 (1) (a) of the statutes is repealed and recreated to read:

9 43.24 (1) (a) 1. Determine the percentage change in the total amount
10 appropriated under s. 20.255 (3) (e) between the previous fiscal year and the current
11 fiscal year.

12 2. Multiply the amount of state aid received by the system in the previous fiscal
13 year by the sum of 1.0 and the result under subd. 1. expressed as a decimal.

14 **SECTION 945dp.** 43.24 (1) (b) of the statutes is repealed and recreated to read:

15 43.24 (1) (b) If the territory of a public library system is altered, the department
16 shall adjust the aid paid to that system under par. (a). The department shall
17 promulgate rules establishing the method the department will use to make the
18 adjustment.

19 **SECTION 945dt.** 43.24 (1) (c) of the statutes is repealed and recreated to read:

20 43.24 (1) (c) Beginning in the fiscal year in which the total amount of state aid
21 appropriated for public library systems under s. 20.255 (3) (e), as determined by the
22 department, equals at least 11.25% of the total operating expenditures for public
23 library services from local and county sources in the calendar year ending in that
24 fiscal year, the amount paid to each system shall be determined by adding the result
25 of each of the following calculations:

1 1. Multiply the system's percentage of the state's population by the product of
2 the amount appropriated under s. 20.255 (3) (e) and 0.85.

3 2. Multiply the system's percentage of the state's geographical area by the
4 product of the amount appropriated under s. 20.255 (3) (e) and 0.075.

5 3. Divide the sum of the payments to the municipalities and counties in the
6 system under subch. I of ch. 79 for the current fiscal year, as reflected in the
7 statement of estimated payments under s. 79.015, by the total of all payments under
8 subch. I of ch. 79 for the current fiscal year, as reflected in the statement of estimated
9 payments under s. 79.015, and multiply the result by the product of the amount
10 appropriated under s. 20.255 (3) (e) and 0.075.

11 **SECTION 945e.** 44.015 (6) of the statutes is renumbered 44.015 (10).

12 **SECTION 945f.** 44.015 (7) of the statutes is created to read:

13 44.015 (7) Contract with the Wisconsin History Foundation, Inc., for the
14 purpose of administering the historical society's membership program.

15 **SECTION 945g.** 44.02 (28) of the statutes is created to read:

16 44.02 (28) In the 1999–2001 fiscal biennium, pay the amount appropriated
17 under s. 20.245 (3) (c) to the city of Neenah to restore the Neenah city clock tower if
18 the city of Neenah contributes matching funds of at least \$25,000.

19 **SECTION 945m.** 44.08 of the statutes is repealed.

20 **SECTION 945s.** 44.16 of the statutes is amended to read:

21 **~~44.16 Historic sites foundation~~ Circus World Museum Foundation. (1)**

22 The historical society may enter into a lease agreement with the ~~historic sites~~
23 ~~foundation, inc.~~ Circus World Museum Foundation, Inc., for the purpose of operating
24 Circus World Museum, located in Baraboo, Wisconsin. The lease agreement shall not

1 include any provision for the payment of a percentage of gross admissions income at
2 Circus World Museum to the historical society.

3 **(2)** Upon request of the board of directors of the ~~historic sites foundation, inc.~~
4 Circus World Museum Foundation, Inc., the governor may nominate, and with the
5 advice and consent of the senate appoint, one member of the board of directors to
6 serve at the pleasure of the governor.

7 **SECTION 946.** 44.20 (1) of the statutes is amended to read:

8 44.20 **(1)** The historical society shall operate and maintain the historic sites
9 known as Stonefield Village, Pendarvis, Villa Louis, Old Wade House, Madeline
10 Island, Old World Wisconsin, H.H. Bennett Studios and, if the First Capitol state
11 park has been transferred to the historical society under 1993 Wisconsin Act 16,
12 section 9142 (1e), First Capitol.

13 **SECTION 946g.** 44.34 (13) of the statutes is created to read:

14 44.34 **(13)** Produce a CD-ROM about the restoration of the state capitol.

15 **SECTION 946m.** 44.49 of the statutes is created to read:

16 **44.49 Heritage trust program. (1) PURPOSE.** The legislature determines
17 that the provision of assistance by the state under this section and the awarding of
18 grants to the Wisconsin Trust for Historic Preservation under this section serve a
19 statewide public purpose by assisting in the protection, restoration and
20 rehabilitation of property located in this state that is significant in the history,
21 prehistory, architecture, archaeology or culture of this state, its rural and urban
22 communities or the nation.

23 **(2) DEFINITIONS.** In this section:

24 (a) “Local governmental unit” has the meaning given in s. 16.97 (7).

25 (b) “Trust” means the Wisconsin Trust for Historic Preservation.

1 **(3) GRANTS TO GOVERNMENTAL UNITS AND NONPROFIT ORGANIZATIONS.** (a) From the
2 appropriation under s. 20.866 (2) (zfm), the state historical society shall award
3 grants to state agencies, local governmental units and nonprofit organizations for
4 historic preservation. A grant recipient shall provide matching funds equal to 25%
5 of the amount of the grant, except that the state historical society may require a
6 recipient to provide matching funds equal to a higher percentage.

7 (b) The state historical society shall ensure that all grant recipients under par.
8 (a) comply with the standards for rehabilitation in 36 CFR 67.7.

9 (c) The state historical society may award up to \$1,000,000 in grants under par.
10 (a) in the 2000–01 fiscal year and up to \$1,500,000 in grants under par. (a) in each
11 of the 9 succeeding fiscal years, except that if the state historical society awards less
12 than the maximum amount allowed in any fiscal year the maximum amount allowed
13 in the succeeding fiscal year is increased by an amount equal to the difference
14 between the amount awarded in the current fiscal year and the maximum amount
15 allowed in the current fiscal year.

16 **(4) GRANTS TO THE TRUST.** (a) Subject to par. (b), the state historical society
17 annually shall award a grant to the trust from the appropriation under s. 20.866 (2)
18 (zfm). In the 2000–01 fiscal year, the amount of the grant shall be \$1,000,000. In
19 each of the 9 succeeding fiscal years, the amount of the grant shall be \$500,000.

20 (b) The state historical society may award a grant under par. (a) only if the
21 following conditions are satisfied:

22 1. The bylaws of the trust state that the purpose of the trust is to develop and
23 support statewide initiatives promoting historic preservation and that, if the trust
24 dissolves, the trust shall in good faith take all reasonable measures to ensure that
25 all moneys paid to the trust under this subsection revert to the state.

1 2. The trust provides public access to any meeting held for the purpose of
2 deliberations regarding the awarding of grants under par. (c) 1. to the same extent
3 as is required of, and subject to the same terms and enforcement provisions that
4 apply to, a governmental body under subch. V of ch. 19.

5 (c) The moneys received under par. (a) shall constitute an endowment fund.
6 The trust shall use the earnings of the endowment fund for the following purposes:

7 1. To award grants to state agencies, local governmental units and nonprofit
8 organizations for historic preservation, including historic preservation to
9 commemorate the 200th anniversary of Wisconsin statehood. A grant recipient shall
10 provide matching funds equal to 25% of the amount of the grant, except that the trust
11 may require a recipient to provide matching funds equal to a higher percentage.

12 2. To temporarily acquire historic property for the purpose of historic
13 preservation.

14 (d) The trust shall comply, and shall ensure that all grant recipients under par.
15 (c) 1. comply, with the standards for rehabilitation in 36 CFR 67.7.

16 (e) The trust shall contract with an independent certified public accountant to
17 biennially audit the endowment fund. Within 30 days after the completion of each
18 audit, the trust shall submit a detailed report of the audit to the governor and the
19 joint committee on finance.

20 **(5) SUNSET.** The state historical society may not award a grant under this
21 section after June 30, 2010.

22 **SECTION 947.** 44.53 (1) (fm) of the statutes is created to read:

23 44.53 **(1)** (fm) Conduct a program identical to that described in par. (f), but only
24 for American Indian individuals and groups. The program shall be funded from the
25 appropriation under s. 20.215 (1) (km).

1 **SECTION 947m.** 44.53 (1) (j) of the statutes is created to read:

2 44.53 (1) (j) Annually pay to the Milwaukee Foundation, Inc., for deposit in the
3 High Point fund, the amount appropriated under s. 20.215 (1) (e).

4 **SECTION 948.** 44.53 (2) (am) of the statutes is created to read:

5 44.53 (2) (am) Enter into contracts with American Indian individuals,
6 organizations and institutions and American Indian tribal governments for services
7 furthering the development of the arts and humanities.

8 **SECTION 949.** 44.70 (2g) of the statutes is created to read:

9 44.70 (2g) “Educational agency” means a school district, private school,
10 cooperative educational service agency, technical college district, private college,
11 public library system, public library board, the Wisconsin Center for the Blind and
12 Visually Impaired or the Wisconsin School for the Deaf.

13 **SECTION 951.** 44.70 (3m) of the statutes is created to read:

14 44.70 (3m) “Public library system” has the meaning given in s. 43.01 (5).

15 **SECTION 952.** 44.70 (5) of the statutes is created to read:

16 44.70 (5) “Universal service fund” means the trust fund established under s.
17 25.95.

18 **SECTION 953.** 44.71 (2) of the statutes is renumbered 44.71 (2) (a), and 44.71
19 (2) (a) 5. and 8., as renumbered, are amended to read:

20 44.71 (2) (a) 5. Subject to s. ~~196.218 (4r) (f)~~ 44.73 (5), in cooperation with the
21 department ~~and the public service commission~~, provide telecommunications access
22 to ~~school districts, private schools, cooperative educational service agencies,~~
23 ~~technical college districts, private colleges and public library boards~~ educational
24 agencies under the program established under s. ~~196.218 (4r)~~ 44.73.

1 8. Purchase educational technology equipment for use by school districts,
2 cooperative educational service agencies and public educational institutions in this
3 state and permit the districts, agencies and institutions to purchase or lease the
4 equipment, with an option to purchase the equipment at a later date. This paragraph
5 subdivision does not require the purchase or lease of any educational technology
6 equipment from the board.

7 **SECTION 953g.** 44.71 (2) (a) 6m. of the statutes is created to read:

8 44.71 (2) (a) 6m. No later than October 1 of each year, submit a report
9 containing the discount rates provided to the board for telecommunications service
10 under 47 USC 254 to the department of administration, the joint committee on
11 finance and the public service commission.

12 **SECTION 954.** 44.71 (2) (bm) of the statutes is created to read:

13 44.71 (2) (bm) The board may contract with the Wisconsin advanced
14 telecommunications foundation to provide administrative services to the foundation.

15 **SECTION 955.** 44.72 (1) (a) of the statutes is amended to read:

16 44.72 (1) (a) Award grants to applicants on a competitive basis through one
17 funding cycle annually, except that the board shall ensure that at least one grant is
18 awarded annually to an applicant located in the territory of each cooperative
19 educational service agency.

20 **SECTION 955m.** 44.72 (1) (d) of the statutes is created to read:

21 44.72 (1) (d) Promulgate rules establishing administrative procedures,
22 eligibility criteria and application requirements for awarding grants under this
23 section.

24 **SECTION 955p.** 44.72 (1) (e) of the statutes is created to read:

1 44.72 (1) (e) Consult with the department of public instruction before awarding
2 grants under this subsection.

3 **SECTION 955t.** 44.72 (2) (a) of the statutes is repealed.

4 **SECTION 956.** 44.72 (2) (b) 3. of the statutes is repealed.

5 **SECTION 956g.** 44.72 (2) (c) of the statutes is amended to read:

6 44.72 (2) (c) A school district is eligible for a grant under par. (a) or (b) 2. only
7 if the annual meeting in a common school district, or the school board in a unified
8 school district or in a school district operating under ch. 119, adopts a resolution
9 requesting the grant. A grant under this subsection may not be used to replace
10 funding available from other sources.

11 **SECTION 956r.** 44.72 (2) (d) of the statutes is amended to read:

12 44.72 (2) (d) A school district receiving a grant under par. (a) or (b) shall deposit
13 the moneys in a separate fund. The moneys may be used for any purpose related to
14 educational technology, except that a school district may not use the moneys to pay
15 the salary or benefits of any school district employe.

16 **SECTION 957.** 44.72 (2) (e) of the statutes is amended to read:

17 44.72 (2) (e) The board shall distribute the grants under par. (b) 2. and 3.
18 annually on the first Monday in February.

19 **SECTION 958.** 44.72 (4) (title) of the statutes is amended to read:

20 44.72 (4) (title) ~~SUBSIDIZED—EDUCATIONAL~~ EDUCATIONAL TECHNOLOGY
21 INFRASTRUCTURE LOANS FINANCIAL ASSISTANCE.

22 **SECTION 959.** 44.72 (4) (a) of the statutes is amended to read:

23 44.72 (4) (a) *Subsidized loans* Financial assistance authorized. The board may
24 ~~make subsidized loans~~ provide financial assistance under this subsection to school
25 districts from the proceeds of public debt contracted under s. 20.866 (2) (zc) and to

1 public library boards from the proceeds of public debt contracted under s. 20.866 (2)
2 (zcm). ~~Subsidized loans~~ Financial assistance under this subsection may be used only
3 for the purpose of upgrading the electrical wiring of school and library buildings in
4 existence on October 14, 1997, and installing and upgrading computer network
5 wiring.

6 **SECTION 960.** 44.72 (4) (b) of the statutes is amended to read:

7 44.72 (4) (b) ~~Subsidized loan~~ Financial assistance applications, terms and
8 conditions. The board shall establish application procedures for, and the terms and
9 conditions of, ~~subsidized loans~~ financial assistance under this subsection. The board
10 shall make a loan to a school district or public library board in an amount equal to
11 50% of the total amount of financial assistance for which the board determines the
12 school district or public library board is eligible and provide a grant to the school
13 district or public library board for the remainder of the total. The terms of any
14 financial assistance under this subsection may include provision of professional
15 building construction services under s. 16.85 (15). The board shall determine the
16 interest rate on ~~these loans~~ under this subsection. The interest rate shall be as low
17 as possible but shall be sufficient to fully pay all interest expenses incurred by the
18 state in making the loans and to provide reserves that are reasonably expected to be
19 required in the judgment of the board to ensure against losses arising from
20 delinquency and default in the repayment of ~~subsidized~~ the loans. The term of a
21 ~~subsidized loan~~ under this subsection may not exceed 10 years.

22 **SECTION 961.** 44.72 (4) (c) of the statutes is amended to read:

23 44.72 (4) (c) ~~Repayment of subsidized loans.~~ A school district's or public library
24 board's total payments on a loan made under this subsection shall be equal to 50%
25 of the total debt service on the loan, as determined by the board. ~~A school district or~~

1 ~~public library board is not obligated to pay the remaining 50% of the debt service on~~
2 ~~the loan.~~ The board shall credit all moneys received from school districts ~~under this~~
3 ~~paragraph for repayment of loans under this subsection~~ to the appropriation account
4 under s. 20.275 (1) (h). The board shall credit all moneys received from public library
5 boards ~~under this paragraph for repayment of loans under this subsection~~ to the
6 appropriation account under s. 20.275 (1) (hb).

7 **SECTION 962.** 44.72 (4) (d) of the statutes is amended to read:

8 44.72 (4) (d) *Funding for subsidized loans financial assistance.* The board, with
9 the approval of the governor and subject to the limits of s. 20.866 (2) (zc) and (zcm),
10 may request that the building commission contract public debt in accordance with
11 ch. 18 to fund loans financial assistance under this subsection.

12 **SECTION 967.** 45.25 (1) of the statutes is amended to read:

13 45.25 (1) ADMINISTRATION. The department of veterans affairs shall administer
14 a tuition and fee reimbursement program for eligible veterans enrolling as
15 undergraduates in any institution ~~within the university of Wisconsin system,~~
16 ~~enrolling in any technical college under ch. 38 of higher education, as defined in s.~~
17 45.396 (1) (a), in this state or receiving a waiver of nonresident tuition under s. 39.47.

18 **SECTION 968.** 45.25 (2) (d) of the statutes is amended to read:

19 45.25 (2) (d) The individual is a resident at the time of application for the
20 tuition and fee reimbursement program and was a Wisconsin resident at the time of
21 entry or reentry into service or was a resident for any consecutive 5-year period after
22 ~~completing~~ entry or reentry into service on active duty and before the time date of
23 his or her application. If a person applying for a benefit under this section meets that
24 5-consecutive-year residency requirement, the department may not require the
25 person to reestablish that he or she meets the 5-consecutive-year residency

1 requirement when he or she later applies for any other benefit under this chapter
2 that requires a 5–consecutive–year residency.

3 **SECTION 969.** 45.25 (2) (e) of the statutes is created to read:

4 45.25 (2) (e) The individual is enrolled for at least 12 credits during the
5 semester for which reimbursement is sought.

6 **SECTION 970.** 45.25 (3) (a) of the statutes is amended to read:

7 45.25 (3) (a) Except as provided in par. (am), an individual who meets the
8 requirements under sub. (2), upon satisfactory completion of ~~an~~ a full-time
9 undergraduate semester in any institution ~~within the university of Wisconsin~~
10 ~~system or a semester at any technical college district school under ch. 38 of higher~~
11 education, as defined in s. 45.396 (1) (a), in this state or any institution from which
12 the individual receives a waiver of nonresident tuition under s. 39.47, may be
13 reimbursed for up to 50% 65% of the individual's tuition and fees, ~~but that. The~~
14 reimbursement under this paragraph is limited to a maximum of 50% 65% of the
15 standard cost for a state resident for an equivalent undergraduate course at the
16 University of Wisconsin–Madison per course or the difference between the
17 individual's tuition and fees and the grants or scholarships, including those made
18 under s. 21.49, that the individual receives specifically for the payment of the tuition
19 or fees, whichever is less. Reimbursement is available only for tuition and fees that
20 are part of a curriculum that is relevant to a degree in a particular course of study
21 at the institution ~~or school.~~

22 **SECTION 971.** 45.25 (3) (am) of the statutes is amended to read:

23 45.25 (3) (am) A disabled individual who meets the requirements under sub.
24 (2) and whose disability is rated at 30% or more under 38 USC 1114 or 1134, upon
25 satisfactory completion of an undergraduate semester in any institution ~~within the~~

1 ~~university of Wisconsin system or a semester at any technical college district school~~
2 ~~under ch. 38 of higher education, as defined in s. 45.396 (1) (a), in this state or any~~
3 ~~institution from which the individual receives a waiver of nonresident tuition under~~
4 ~~s. 39.47, may be reimbursed for up to 100% of the individual's tuition and fees, but~~
5 ~~that. The reimbursement under this paragraph is limited to 100% of the standard~~
6 ~~cost for a state resident for an equivalent undergraduate course at the University of~~
7 ~~Wisconsin–Madison per course, or the difference between the individual's tuition~~
8 ~~and fees and the grants or scholarships, including those made under s. 21.49, that~~
9 ~~the individual receives specifically for the payment of the tuition or fees, whichever~~
10 ~~is less. Reimbursement is available only for tuition and fees that are part of a~~
11 ~~curriculum that is relevant to a degree in a particular course of study at the~~
12 ~~institution or school.~~

13 **SECTION 972.** 45.25 (4) (a) of the statutes is amended to read:

14 45.25 (4) (a) An individual is not eligible for reimbursement under sub. (2) for
15 more than 120 credits of part-time study or 8 full semesters of full-time study at any
16 institution ~~within the university of Wisconsin system~~ of higher education, as defined
17 in s. 45.396 (1) (a), in this state, 60 credits of part-time study or 4 full semesters of
18 full-time study at a technical college under ch. 38 any institution of higher
19 education, as defined in s. 45.396 (1) (a), in this state that offers a degree upon
20 completion of 60 credits, or an equivalent amount of credits at an institution where
21 he or she is receiving a waiver of nonresident tuition under s. 39.47.

22 **SECTION 973.** 45.25 (4) (b) (intro.) of the statutes is amended to read:

23 45.25 (4) (b) (intro.) The department may provide reimbursement under sub.
24 (2) to an individual who is delinquent in child support or maintenance payments or
25 who owes past support, medical expenses or birth expenses, as established by the

1 ~~receipt by the department of a certification under s. 49.855~~ appearance of the
2 individual's name on the statewide support lien docket under s. 49.854 (2) (b), only
3 if the individual provides the department with one of the following:

4 **SECTION 974.** 45.25 (4) (b) 2. of the statutes is amended to read:

5 45.25 **(4)** (b) 2. A statement that the individual is not delinquent in child
6 support or maintenance payments and does not owe past support, medical expenses
7 or birth expenses, signed by the ~~clerk of circuit court~~ department of workforce
8 development or its designee within 7 working days before the date of the application.

9 **SECTION 975.** 45.35 (5) (a) 2. c. of the statutes is amended to read:

10 45.35 **(5)** (a) 2. c. Has been a resident of this state for any consecutive 5-year
11 period after ~~completing entry or reentry into service on active duty~~ and before the
12 date of his or her application or death. If a person applying for a benefit under this
13 subchapter meets that 5-consecutive-year residency requirement, the department
14 may not require the person to reestablish that he or she meets the
15 5-consecutive-year residency requirement when he or she later applies for any other
16 benefit under this chapter that requires a 5-consecutive-year residency.

17 **SECTION 976.** 45.35 (14) (h) of the statutes is created to read:

18 45.35 **(14)** (h) To provide grants to the governing bodies of federally recognized
19 American Indian tribes and bands from the appropriation under s. 20.485 (2) (km)
20 if that governing body enters into an agreement with the department regarding the
21 creation, goals and objectives of a tribal veterans' service officer, appoints a veteran
22 to act as a tribal veterans' service officer and gives that veteran duties similar to the
23 duties described in s. 45.43 (5), except that the veteran shall report to the governing
24 body of the tribe or band. The department may make annual grants of up to \$2,500
25 under this paragraph and shall promulgate rules to implement this paragraph.

1 **SECTION 977.** 45.35 (15) of the statutes is amended to read:

2 45.35 **(15)** LIBERAL CONSTRUCTION INTENDED. This section, ss. 45.25, 45.351,
3 45.356 and 45.37 and subch. II shall be construed as liberally as the language
4 permits in favor of applicants.

5 **SECTION 979.** 45.356 (6) (intro.) of the statutes is amended to read:

6 45.356 **(6)** (intro.) The department may provide a loan under this section after
7 ~~the department receives a certification under s. 49.855 (7) that the applicant is~~
8 ~~delinquent in child support or maintenance payments or owes past support, medical~~
9 ~~expenses or birth expenses~~ to an applicant whose name appears on the statewide
10 support lien docket under s. 49.854 (2) (b) only if the applicant does one of the
11 following:

12 **SECTION 980.** 45.356 (6) (b) of the statutes is amended to read:

13 45.356 **(6)** (b) Provides to the department a statement that the applicant is not
14 delinquent in child support or maintenance payments and does not owe past support,
15 medical expenses or birth expenses, signed by the clerk of circuit court department
16 of workforce development or its designee within 7 working days before the date of the
17 application.

18 **SECTION 981.** 45.356 (9) (a) of the statutes is amended to read:

19 45.356 **(9)** (a) The department may borrow from the veterans mortgage loan
20 repayment fund under s. 45.79 (7) (a) and shall pledge to obtain money to make loans
21 made under this section as collateral for the borrowing.

22 **SECTION 982.** 45.356 (9) (b) of the statutes is amended to read:

23 45.356 **(9)** (b) The department may enter into transactions with the state
24 investment board to obtain money to make loans under this section. Transactions
25 authorized under this paragraph may include the sale of loans.

1 **SECTION 982m.** 45.358 (2) of the statutes is amended to read:

2 45.358 (2) CONSTRUCTION AND OPERATION OF CEMETERIES. Subject to
3 authorization under ss. 13.48 (10) and 20.924 (1), the department of veterans affairs
4 may construct and operate veterans cemeteries in northwestern and southeastern
5 Wisconsin and may employ such personnel as are necessary for the proper
6 management of the cemeteries. The cemetery in southeastern Wisconsin is the
7 Southern Wisconsin Veterans Memorial Cemetery. The cemetery in northwestern
8 Wisconsin is the Northern Wisconsin Veterans Memorial Cemetery. The department
9 may acquire, by gift, purchase or condemnation, lands necessary for the purposes of
10 the cemeteries. Title to the properties shall be taken in the name of this state. Every
11 deed of conveyance shall be immediately recorded in the office of the proper register
12 of deeds and thereafter filed with the secretary of state. All cemeteries operated by
13 the department are exempt from the requirements of ss. 157.061 to 157.70 and
14 440.90 to 440.95.

15 **SECTION 983.** 45.37 (3) (b) (title) of the statutes is repealed.

16 **SECTION 984.** 45.37 (3) (b) of the statutes is renumbered 45.37 (3) and amended
17 to read:

18 45.37 (3) *Nonresident.* A veteran who was not a resident of this state at the
19 time of enlistment or induction into service but who is otherwise qualified for
20 membership may be admitted if the veteran has been a resident of this state for any
21 consecutive 5-year period after completing enlistment or induction into service on
22 active duty and before the date of his or her application. If a person applying for a
23 benefit under this subchapter meets that 5-consecutive-year residency
24 requirement, the department may not require the person to reestablish that he or she
25 meets the 5-consecutive-year residency requirement when he or she later applies

1 for any other benefit under this chapter that requires a 5–consecutive–year
2 residency.

3 **SECTION 984m.** 45.385 of the statutes is amended to read:

4 **45.385 Veterans residential, treatment and nursing care facilities.**

5 Subject to authorization under ss. 13.48 (10) and 20.924 (1), the department of
6 veterans affairs may construct or renovate and operate residential, treatment and
7 nursing care facilities in southeastern Wisconsin ~~and may, including a~~
8 community–based residential facility, to be known as the Southern Wisconsin
9 Veterans Retirement Center. The department may employ such personnel as are
10 necessary for the proper management of the facilities Southern Wisconsin Veterans
11 Retirement Center. The department may acquire by gift, purchase or condemnation
12 lands necessary for the purposes of the facilities Southern Wisconsin Veterans
13 Retirement Center. Title to any properties acquired under this section shall be taken
14 in the name of this state. Every deed of conveyance shall be immediately recorded
15 in the office of the proper register of deeds and filed with the secretary of state.

16 **SECTION 985.** 45.396 (1) (a) of the statutes is amended to read:

17 45.396 (1) (a) “Institution of higher education” ~~means an educational~~
18 ~~institution meeting the requirements of P.L. 89–329 for institutions covered therein~~
19 ~~and of P.L. 89–287 for business, trade, technical or vocational schools and full–time~~
20 ~~post–high school technical colleges~~ has the meaning given in 20 USC 1088 (a).

21 **SECTION 986.** 45.396 (5) of the statutes is amended to read:

22 45.396 (5) Except as provided in sub. (9), the reimbursement may not exceed
23 ~~50%~~ 65% of the cost of tuition and fees and shall also be limited to a maximum of ~~50%~~
24 65% of the standard cost for a state resident for tuition and fees for an equivalent
25 undergraduate course at the University of Wisconsin–Madison per course and may

1 not be provided to an individual more than 4 times during any consecutive 12-month
2 period.

3 **SECTION 987.** 45.396 (6) (intro.) of the statutes is amended to read:

4 45.396 (6) (intro.) The department may make a grant to an applicant under this
5 section after the department receives a certification under s. 49.855 (7) that the
6 applicant is delinquent in child support or maintenance payments or owes past
7 support, medical expenses or birth expenses to an applicant whose name appears on
8 the statewide support lien docket under s. 49.854 (2) (b) only if the applicant provides
9 the department with one of the following:

10 **SECTION 988.** 45.396 (6) (b) of the statutes is amended to read:

11 45.396 (6) (b) A statement that the applicant is not delinquent in child support
12 or maintenance payments and does not owe past support, medical expenses or birth
13 expenses, signed by the clerk of circuit court department of workforce development
14 or its designee within 7 working days before the date of the application.

15 **SECTION 989g.** 45.397 (4) of the statutes is repealed.

16 **SECTION 990.** 45.71 (16) (a) 2m. a. of the statutes is amended to read:

17 45.71 (16) (a) 2m. a. Has been a resident of this state for any consecutive 5-year
18 period after ~~completing~~ enlistment or induction into service on active duty and before
19 the date of his or her application or death. If a person applying for a benefit under
20 this subchapter meets that 5-consecutive-year residency requirement, the
21 department may not require the person to reestablish that he or she meets the
22 5-consecutive-year residency requirement when he or she applies for any other
23 benefit under this chapter that requires a 5-consecutive-year residency.

24 **SECTION 991.** 45.74 (6) (intro.) of the statutes is amended to read:

1 45.74 (6) DELINQUENT SUPPORT PAYMENTS. (intro.) The person is delinquent in
2 child support or maintenance payments or owes past support, medical expenses or
3 birth expenses, as evidenced by a ~~certification under s. 49.855 (7)~~ the appearance of
4 the person's name on the statewide support lien docket under s. 49.854 (2) (b), unless
5 the person provides the department or authorized lender with one of the following:

6 **SECTION 992.** 45.74 (6) (b) of the statutes is amended to read:

7 45.74 (6) (b) A statement that the person is not delinquent in child support or
8 maintenance payments and does not owe past support, medical expenses or birth
9 expenses, signed by the ~~clerk of circuit court~~ department of workforce development
10 or its designee within 7 working days before the date of the application.

11 **SECTION 993.** 45.76 (1) (c) of the statutes is amended to read:

12 45.76 (1) (c) *Home improvements.* A loan of not more than \$15,000 \$25,000 to
13 improve a home, including construction of a garage.

14 **SECTION 994.** 45.79 (9) (a) of the statutes is amended to read:

15 45.79 (9) (a) All moneys received from any source for repayment of loans,
16 mortgages or mortgage loan notes funded with proceeds of revenue obligations
17 issued under sub. (6) (c) shall be deposited into one or more separate nonlapsible
18 trust funds in the state treasury or with a trustee ~~as provided in s. 18.56 (9) (j)~~
19 appointed for that purpose by the authorizing resolution for the revenue obligations.

20 The board may pledge revenues received by the funds to secure revenue obligations
21 issued under sub. (6) (c) and shall have all other powers necessary and convenient
22 to distribute the proceeds of the revenue obligations and loan repayments in
23 accordance with subch. II of ch. 18. Unrestricted balances in the funds may be used
24 to fund additional loans issued under sub. (6) (c) and pay the balances owing on loans

1 after the assumptions of the loans or the closings of the sales of residences under sub.
2 (10) (c).

3 **SECTION 995.** 46.03 (1) of the statutes is amended to read:

4 46.03 (1) INSTITUTIONS GOVERNED. Maintain and govern the Mendota and the
5 Winnebago mental health institutes; the secure mental health facility established
6 under s. 46.055; and the centers for the developmentally disabled.

7 **SECTION 996.** 46.03 (7) (g) of the statutes is created to read:

8 46.03 (7) (g) Before July 1, 2005, establish a statewide automated child welfare
9 information system.

10 **SECTION 997.** 46.03 (22) (a) of the statutes is amended to read:

11 46.03 (22) (a) “Community living arrangement” means any of the following
12 facilities licensed or operated, or permitted under the authority of the department:
13 child welfare agencies under s. 48.60, group homes for children under s. 48.02 (7) and
14 community-based residential facilities under s. 50.01; but does not include adult
15 family homes, as defined in s. 50.01, day care centers, nursing homes, general
16 hospitals, special hospitals, prisons and jails. “Community living arrangement” also
17 ~~includes a youth village program as described in s. 118.42.~~

18 **SECTION 997m.** 46.03 (44) of the statutes is created to read:

19 46.03 (44) STRAY VOLTAGE RESEARCH. Conduct research and investigate
20 allegations that the 3rd harmonic of 60-hertz current harms people and dairy
21 animals. The department shall allocate moneys transferred to the appropriation
22 account under s. 20.435 (1) (kx) from the appropriation under s. 20.155 (1) (jm) for
23 this purpose.

24 **SECTION 999d.** 46.036 (4) (a) of the statutes is amended to read:

1 46.036 (4) (a) Except as provided in this paragraph, maintain a uniform double
2 entry accounting system and a management information system which are
3 compatible with cost accounting and control systems prescribed by the department.
4 The department shall establish a simplified double entry bookkeeping system for use
5 by family-operated group homes. Each purchaser shall determine whether a
6 family-operated group home from which it purchases services shall use the double
7 entry accounting system or the simplified system and shall include this
8 determination in the purchase of service contract. In this paragraph,
9 “family-operated group home” means a group home licensed under s. 48.66 (1) (a) for
10 which the licensee is one or more individuals who operate not more than one group
11 home.

12 **SECTION 999m.** 46.036 (8) of the statutes is created to read:

13 46.036 (8) If the department proposes to consolidate contracts into one single
14 contract to cover care or services under more than one program administered by the
15 subunit of the department that is primarily responsible for administering public
16 health, the department shall submit the proposed contract to the cochairpersons of
17 the joint committee on finance. The proposed contract shall detail the programs for
18 which care or services are being contracted, the allocation of funds for each program
19 and outcome performance incentives and disincentives offered under the contract.
20 If the cochairpersons of the committee do not notify the secretary within 14 working
21 days after receiving the proposed contract that the cochairpersons have scheduled
22 a meeting for the purpose of reviewing the contract, the department may enter into
23 the contract as proposed. If, within 14 working days after receiving the proposed
24 contract, the cochairpersons notify the secretary that the cochairpersons have

1 scheduled a meeting for the purpose of reviewing the proposed contract, the
2 department may not enter into the contract except as approved by the committee.

3 **SECTION 999p.** 46.041 (1) (a) of the statutes is amended to read:

4 46.041 (1) (a) Provide for the temporary residence and evaluation of children
5 referred from courts assigned to exercise jurisdiction under chs. 48 and 938, the
6 institutions and services under the jurisdiction of the department, University of
7 Wisconsin Hospitals and Clinics Authority, county departments under s. 46.215,
8 46.22 or 46.23, private child welfare agencies, ~~schools~~ the Wisconsin School for the
9 ~~deaf and visually handicapped,~~ Deaf, the Wisconsin Center for the Blind and
10 Visually Impaired and mental health facilities within the state at the discretion of
11 the ~~superintendent~~ director of the institution providing services under this section.

12 **SECTION 1000.** 46.043 of the statutes is created to read:

13 **46.043 Additional services of mental health institutes. (1)** In addition
14 to inpatient and outpatient services provided at mental health institutes under ss.
15 51.05 and 51.07, the department may authorize mental health institutes to offer
16 services other than inpatient mental health services when the department
17 determines that community services need to be supplemented. Services that may be
18 offered under this section include mental health outpatient treatment and services,
19 day programming, consultation and services in residential facilities, including group
20 homes, child caring institutions and community-based residential facilities.

21 **(2)** Services under this section may be provided only under contract between
22 the department and a county department under s. 46. 215, 46.22 or 46.23, a school
23 district or another public or private entity within the state to persons referred from
24 those entities, at the discretion of the department. The department shall charge the
25 referring entity all costs associated with providing the services. Unless a referral is

1 made, the department may not offer services under this section to the person who is
2 to receive the services or his or her family. The department may not impose a charge
3 for services under this section upon the person receiving the services or his or her
4 family. The department shall credit any revenues received under this section to the
5 appropriation account under s. 20.435 (2) (gk).

6 **(3)** (a) Except as provided in par. (b), services under this section are governed
7 by all of the following:

8 1. The terms of the contract between the department and the referring entity.

9 2. Subchapter XVI of ch. 48 and ss. 50.03, 50.032, 50.033, 50.034 (1) to (3),
10 50.035, 50.04, 50.09, 51.04, 51.42 (7) (b) and 51.61. In applying these statutes, the
11 services shall be considered to be provided by a private entity.

12 3. Rules promulgated under the statutes specified in subd. 2.

13 (b) In the event of a conflict between par. (a) 1. and 2. or 3., the services shall
14 comply with the contractual, statutory or rules provision that is most protective of
15 the service recipient's health, safety, welfare or rights.

16 (c) Sections 46.03 (18), 46.10, 51.15 (2), 51.20 (13) (c) 1. and 51.42 (3) (as), other
17 similar provisions in chs. 46 and 51 and zoning or other ordinances or regulations of
18 the county, city, town or village in which the services are provided or the facility is
19 located do not apply to the services under this section.

20 (d) The department may not be required, by court order or otherwise, to offer
21 services under this section.

22 **(4)** Services in a residential facility operated by a mental health institute that
23 are authorized by the department under this section shall be provided only in a
24 facility that is situated on the grounds of a mental health institute. The facility may
25 not be considered to be a hospital, as defined in s. 50.33 (2), an inpatient facility, as

1 defined in s. 51.01 (10), a state treatment facility, as defined in s. 51.01 (15), or a
2 treatment facility, as defined in s. 51.01 (19).

3 **SECTION 1001.** 46.055 of the statutes is created to read:

4 **46.055 Secure mental health facility for sexually violent persons.** The
5 department shall establish and operate a secure mental health facility for the
6 detention, evaluation and institutional care of persons under ch. 980.

7 **SECTION 1002d.** 46.057 (2) of the statutes is amended to read:

8 46.057 (2) From the appropriation account under s. 20.410 (3) (ba), the
9 department of corrections shall transfer to the appropriation account under s. 20.435
10 (2) (kx) \$1,273,900 in fiscal year 1999–2000 and \$1,379,300 in fiscal year 2000–01
11 and, from the appropriation account under s. 20.410 (3) (hm), the department of
12 corrections shall transfer to the appropriation account under s. 20.435 (2) (kx)
13 ~~\$3,125,100~~ \$2,489,300 in fiscal year ~~1997–98~~ 1999–2000 and ~~\$3,236,200~~ \$2,489,900
14 in fiscal year ~~1998–99~~ 2000–01 for services for juveniles placed at the Mendota
15 juvenile treatment center. The department of health and family services may charge
16 the department of corrections not more than the actual cost of providing those
17 services.

18 **SECTION 1002j.** 46.058 (2m) of the statutes is created to read:

19 46.058 (2m) The superintendents of the secure mental health facility
20 established under s. 46.055, the Wisconsin resource center established under s.
21 46.056 and any secure mental health unit or facility provided by the department of
22 corrections under s. 980.065 (2) shall adopt proper means to prevent escapes of
23 persons detained or committed to the facility, center or unit under ch. 980 and may
24 adopt proper means to pursue and capture persons detained or committed to the
25 facility, center or unit under ch. 980 who have escaped. In adopting means under this

1 subsection to prevent escape and pursue and capture persons who have escaped, a
2 superintendent may delegate to designated staff members of the facility, center or
3 unit the power to use necessary and appropriate force, as defined by the department
4 by rule, to prevent escapes and capture escaped persons.

5 **SECTION 1003.** 46.10 (2) of the statutes is amended to read:

6 46.10 (2) Except as provided in subs. (2m) and (14) (b) and (c), any person,
7 including but not limited to a person admitted, committed or placed under s. 975.01,
8 1977 stats., s. 975.02, 1977 stats., and s. 975.17, 1977 stats., and ss. 51.10, 51.13,
9 51.15, 51.20, 51.35 (3), 51.37 (5), 51.45 (10), (11), (12) and (13), 55.05, 55.06, 971.14
10 (2) and (5), 971.17 (1), 975.06 and 980.06, receiving care, maintenance, services and
11 supplies provided by any institution in this state including University of Wisconsin
12 Hospitals and Clinics, in which the state is chargeable with all or part of the person's
13 care, maintenance, services and supplies, any person receiving care and services
14 from a county department established under s. 51.42 or 51.437 or from a facility
15 established under s. 49.73, and any person receiving treatment and services from a
16 public or private agency under s. 980.06 (2) (c), 1997 stats., or s. 971.17 (3) (d) or (4)
17 ~~(e), 980.06 (2) (e) or 980.08 (5)~~ and the person's property and estate, including the
18 homestead, and the spouse of the person, and the spouse's property and estate,
19 including the homestead, and, in the case of a minor child, the parents of the person,
20 and their property and estates, including their homestead, and, in the case of a
21 foreign child described in s. 48.839 (1) who became dependent on public funds for his
22 or her primary support before an order granting his or her adoption, the resident of
23 this state appointed guardian of the child by a foreign court who brought the child
24 into this state for the purpose of adoption, and his or her property and estate,
25 including his or her homestead, shall be liable for the cost of the care, maintenance,

1 services and supplies in accordance with the fee schedule established by the
2 department under s. 46.03 (18). If a spouse, widow or minor, or an incapacitated
3 person may be lawfully dependent upon the property for their support, the court
4 shall release all or such part of the property and estate from the charges that may
5 be necessary to provide for those persons. The department shall make every
6 reasonable effort to notify the liable persons as soon as possible after the beginning
7 of the maintenance, but the notice or the receipt thereof is not a condition of liability.

8 **SECTION 1003c.** 46.10 (2m) of the statutes is amended to read:

9 46.10 (2m) The liability specified in sub. (2) shall not apply to tuberculosis
10 patients receiving care, maintenance, services and supplies under ss. ~~58.06 and~~
11 252.07 to 252.10, to persons 18 and older receiving care, maintenance, services and
12 supplies provided by prisons named in s. 302.01 or to parents of a minor who receives
13 care for alcohol or drug abuse under s. 51.47 (1) without consent of the minor's parent
14 or guardian.

15 **SECTION 1003t.** 46.18 (1) of the statutes is amended to read:

16 46.18 (1) TRUSTEES. Every county home, infirmary, hospital, tuberculosis
17 hospital or sanatorium, or similar institution, shall, subject to regulations approved
18 by the county board, be managed by a board of trustees, electors of the county, chosen
19 by ballot by the county board. At its annual meeting, the county board shall appoint
20 an uneven number of trustees, from 3 to 9 at the option of the board, for staggered
21 3-year terms ending the first Monday in January. Any vacancy shall be filled for the
22 unexpired term by the county board; but the chairperson of the county board may
23 appoint a trustee to fill the vacancy until the county board acts.

24 **SECTION 1003u.** 46.20 (1) of the statutes is amended to read:

1 46.20 (1) Any 2 or more counties may jointly, by majority vote of all the
2 members of each county board, provide for a county home, infirmary, hospital,
3 ~~tuberculosis hospital or sanatorium~~, or similar institution, or juvenile detention
4 home, which shall be established, maintained and operated pursuant to all the
5 statutes relating to the establishment, maintenance and operation of similar
6 institutions, respectively, by any single county whose population is less than
7 250,000, except as otherwise provided in this section; and in all respects, except as
8 herein specified, each such institution shall be the county institution of each of the
9 counties so joining.

10 **SECTION 1003v.** 46.20 (3) of the statutes is amended to read:

11 46.20 (3) Upon approval of the site, plans and specifications, as provided in s.
12 ~~252.073 as to tuberculosis sanatoriums~~ and ss. 46.17 and 301.37, as to other
13 institutions, the joint committee shall report to the several county boards the
14 estimated cost of the site and buildings, and the amount thereof chargeable to each
15 county on the basis set forth in sub. (6) (a), appending to each report a copy of the
16 plans and specifications and all matter relating to the site and buildings. If the
17 report is approved by each county board, the joint committee shall purchase the site
18 and cause the buildings to be erected in accordance with the plans and specifications.

19 **SECTION 1003w.** 46.20 (8) of the statutes is repealed.

20 **SECTION 1003x.** 46.20 (10) of the statutes is repealed.

21 **SECTION 1010.** 46.21 (2m) (c) of the statutes is amended to read:

22 46.21 (2m) (c) *Exchange of information.* Notwithstanding ss. ~~46.2895 (9)~~, 48.78
23 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.06 (17) (c), 146.82, 252.11 (7) and
24 253.07 (3) (c), any subunit of the county department of human services acting under
25 this subsection may exchange confidential information about a client, without the

1 informed consent of the client, with any other subunit of the same county department
2 of human services, with a resource center, care management organization or family
3 care district, or with any person providing services to the client under a purchase of
4 services contract with the county department of human services or with a resource
5 center, care management organization or family care district, if necessary to enable
6 an employe or service provider to perform his or her duties, or to enable the county
7 department of human services to coordinate the delivery of services to the client.

8 **SECTION 1011.** 46.215 (1) (j) of the statutes is amended to read:

9 46.215 (1) (j) To make payments in such manner as the department of
10 workforce development may determine for training of recipients, former recipients
11 and potential recipients of aid in programs established under ~~ss.~~ s. 49.193, 1997
12 stats., and s. 49.26 (1).

13 **SECTION 1012.** 46.215 (1) (r) of the statutes is created to read:

14 46.215 (1) (r) If authorized under s. 46.283 (1) (a) 1., to apply to the department
15 of health and family services to operate a resource center under s. 46.283 and, if the
16 department contracts with the county under s. 46.283 (2), to operate the resource
17 center.

18 **SECTION 1013.** 46.215 (1) (s) of the statutes is created to read:

19 46.215 (1) (s) If authorized under s. 46.284 (1) (a) 1., to apply to the department
20 of health and family services to operate a care management organization under s.
21 46.284 and, if the department contracts with the county under s. 46.284 (2), to
22 operate the care management organization and, if appropriate, place funds in a risk
23 reserve.

24 **SECTION 1014p.** 46.215 (1g) of the statutes is amended to read:

1 46.215 (1g) ADMINISTRATION OF FOOD STAMPS ~~FOR PARTICIPANTS IN~~ BY A WISCONSIN
2 WORKS AGENCY. The Wisconsin works agency, as defined in s. 49.001 (9), shall, to the
3 extent permitted by federal law, and subject to s. 49.143 (2) (e), certify eligibility for
4 and distribute, if determined eligible, issue food coupons under s. 49.143 (2) (e) to
5 eligible participants in the Wisconsin works program under subch. III of ch. 49.

6 **SECTION 1017.** 46.215 (1m) of the statutes is amended to read:

7 46.215 (1m) EXCHANGE OF INFORMATION. Notwithstanding ss. 46.2895 (9), 48.78
8 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.06 (17) (c), 146.82, 252.11 (7), 253.07
9 (3) (c) and 938.78 (2) (a), any subunit of the county department of social services
10 acting under this section may exchange confidential information about a client,
11 without the informed consent of the client, with any other subunit of the same county
12 department of social services, with a resource center, care management organization
13 or family care district, or with any person providing services to the client under a
14 purchase of services contract with the county department of social services or with
15 a resource center, care management organization or family care district, if necessary
16 to enable an employe or service provider to perform his or her duties, or to enable the
17 county department of social services to coordinate the delivery of services to the
18 client.

19 **SECTION 1018.** 46.215 (2) (c) 1. of the statutes is amended to read:

20 46.215 (2) (c) 1. A county department of social services shall develop, under the
21 requirements of s. 46.036, plans and contracts for care and services to be purchased,
22 except for care and services under subch. III of ch. 49 or s. 301.08 (2). The department
23 of health and family services may review the contracts and approve them if they are
24 consistent with s. 46.036 and if state or federal funds are available for such purposes.
25 The joint committee on finance may require the department of health and family

1 services to submit the contracts to the committee for review and approval. The
2 department of health and family services may not make any payments to a county
3 for programs included in a contract under review by the committee. The department
4 of health and family services shall reimburse each county for the contracts from the
5 appropriations under s. 20.435 (3) (o) and (7) (b), (kw) and (o), as appropriate, under
6 s. 46.495.

7 **SECTION 1019.** 46.22 (1) (b) 1. j. of the statutes is created to read:

8 46.22 (1) (b) 1. j. If authorized under s. 46.283 (1) (a) 1., to apply to the
9 department of health and family services to operate a resource center under s. 46.283
10 and, if the department contracts with the county under s. 46.283 (2), to operate the
11 resource center.

12 **SECTION 1020.** 46.22 (1) (b) 1. k. of the statutes is created to read:

13 46.22 (1) (b) 1. k. If authorized under s. 46.284 (1) (a) 1., to apply to the
14 department of health and family services to operate a care management organization
15 under s. 46.284 and, if the department contracts with the county under s. 46.284 (2),
16 to operate the care management organization and, if appropriate, place funds in a
17 risk reserve.

18 **SECTION 1021.** 46.22 (1) (b) 2. a. of the statutes is repealed.

19 **SECTION 1022.** 46.22 (1) (b) 2. e. of the statutes is amended to read:

20 46.22 (1) (b) 2. e. To make payments in such manner as the department of
21 workforce development may determine for training of recipients, former recipients
22 and potential recipients of aid in programs established under ss. 49.193, 1997 stats.,
23 and 49.26 (1).

24 **SECTION 1022m.** 46.22 (1) (c) 2. of the statutes is amended to read:

1 46.22 (1) (c) 2. Subdivision 1. does not authorize the county department of
2 social services to make investigations regarding admission to or release from the
3 ~~Waupun correctional institution, the Columbia correctional institution, the Racine~~
4 ~~correctional institution, the Racine Youthful Offender Correctional Facility, the~~
5 ~~correctional institution authorized under 1997 Wisconsin Act 4, section 4 (1) (a), the~~
6 ~~correctional institution authorized under s. 301.046 (1), the correctional institution~~
7 ~~authorized under s. 301.048 (4) (b), the correctional institution authorized under s.~~
8 ~~301.16 (1n), the Oshkosh correctional institution, the Green Bay correctional~~
9 ~~institution, the Dodge correctional institution, the Taycheedah correctional~~
10 ~~institution state prisons under s. 302.01, county houses of correction, jails, detention~~
11 homes or reforestation camps.

12 **SECTION 1023.** 46.22 (1) (c) 8. f. of the statutes is created to read:

13 46.22 (1) (c) 8. f. Before July 1, 2005, the county department of social services
14 shall implement the statewide automated child welfare information system
15 established by the department under s. 46.03 (7) (g).

16 **SECTION 1024.** 46.22 (1) (dm) of the statutes is amended to read:

17 46.22 (1) (dm) *Exchange of information.* Notwithstanding ss. 46.2895 (9), 48.78
18 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.06 (17) (c), 146.82, 252.11 (7), 253.07
19 (3) (c) and 938.78 (2) (a), any subunit of the county department of social services
20 acting under this subsection may exchange confidential information about a client,
21 without the informed consent of the client, with any other subunit of the same county
22 department of social services, with a resource center, care management organization
23 or family care district, or with any person providing services to the client under a
24 purchase of services contract with the county department of social services or with
25 a resource center, care management organization or family care district, if necessary

1 to enable an employe or service provider to perform his or her duties, or to enable the
2 county department of social services to coordinate the delivery of services to the
3 client.

4 **SECTION 1025.** 46.22 (1) (e) 3. a. of the statutes is amended to read:

5 46.22 (1) (e) 3. a. A county department of social services shall develop, under
6 the requirements of s. 46.036, plans and contracts for care and services, except under
7 subch. III of ch. 49 and s. 301.08 (2), to be purchased. The department of health and
8 family services may review the contracts and approve them if they are consistent
9 with s. 46.036 and to the extent that state or federal funds are available for such
10 purposes. The joint committee on finance may require the department of health and
11 family services to submit the contracts to the committee for review and approval.
12 The department of health and family services may not make any payments to a
13 county for programs included in the contract that is under review by the committee.
14 The department of health and family services shall reimburse each county for the
15 contracts from the appropriations under s. 20.435 (3) (o) and (7) (b), (kw) and (o)
16 according to s. 46.495.

17 **SECTION 1026p.** 46.22 (1g) of the statutes is amended to read:

18 46.22 (1g) ADMINISTRATION OF FOOD STAMPS FOR PARTICIPANTS IN BY A WISCONSIN
19 WORKS AGENCY. The Wisconsin works agency, as defined in s. 49.001 (9), shall, to the
20 extent permitted by federal law, and subject to s. 49.143 (2) (e), certify eligibility for
21 and distribute, if determined eligible, issue food coupons under s. 49.143 (2) (e) to
22 eligible participants in the Wisconsin works program under subch. III of ch. 49.

23 **SECTION 1029.** 46.23 (3) (e) of the statutes is amended to read:

24 46.23 (3) (e) *Exchange of information.* Notwithstanding ss. 46.2895 (9), 48.78
25 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.06 (17) (c), 146.82, 252.11 (7), 253.07

1 (3) (c) and 938.78 (2) (a), any subunit of a county department of human services
2 acting under this section may exchange confidential information about a client,
3 without the informed consent of the client, with any other subunit of the same county
4 department of human services, with a resource center, care management
5 organization or family care district, or with any person providing services to the
6 client under a purchase of services contract with the county department of human
7 services or with a resource center, care management organization or family care
8 district, if necessary to enable an employe or service provider to perform his or her
9 duties, or to enable the county department of human services to coordinate the
10 delivery of services to the client.

11 **SECTION 1030.** 46.266 (1) (d) of the statutes is created to read:

12 46.266 (1) (d) A person in the facility who has been determined under s. 49.45
13 (6c) (b) to require active treatment for mental illness.

14 **SECTION 1030d.** 46.266 (3) of the statutes is amended to read:

15 46.266 (3) The total number of beds in skilled nursing facilities or intermediate
16 care facilities that are funded at any one time under subs. (1) and (2) may not exceed
17 the number of beds available for the persons specified in sub. (1) (a), minus the
18 number of beds reduced under sub. (8) (a), plus the number of beds added for persons
19 who are specified under sub. (1) (c) and (d). The department may redistribute funds
20 for a vacant bed from one county to another county that is seeking to effect the
21 placement of a person in an institution for mental diseases.

22 **SECTION 1031.** 46.27 (1) (bm) of the statutes is amended to read:

23 46.27 (1) (bm) “Private nonprofit agency” means a nonprofit corporation, as
24 defined in s. 181.0103 (17), which provides ~~comprehensive health care services to~~
25 ~~elderly persons~~ a program of all-inclusive care for persons aged 65 or older

1 authorized under 42 USC 1395 to 1395ggg and which participates in the On Lok
2 replication initiative.

3 **SECTION 1032.** 46.27 (2) (k) of the statutes is created to read:

4 46.27 (2) (k) Review and approve or disapprove the terms of risk reserve escrow
5 accounts created under sub. (7) (fr) and approve or disapprove disbursements for
6 administrative or staff costs from the risk reserve escrow accounts.

7 **SECTION 1033g.** 46.27 (4) (am) of the statutes is created to read:

8 46.27 (4) (am) If a local long-term care council in a county assumes under s.
9 46.282 (3) (b) the duties of the county long-term support planning committee under
10 this subsection, the county long-term support planning committee for the county is
11 dissolved.

12 **SECTION 1033h.** 46.27 (4) (c) (intro.) of the statutes is amended to read:

13 46.27 (4) (c) (intro.) The planning committee shall develop, or, if a local
14 long-term care council has under s. 46.282 (3) (b) assumed the duties of the planning
15 committee, the local long-term care council shall recommend a community options
16 plan for participation in the program. The plan shall include:

17 **SECTION 1033i.** 46.27 (4) (c) 5. of the statutes is amended to read:

18 46.27 (4) (c) 5. A description of the method to be used by the committee or, if
19 a local long-term care council has under s. 46.282 (3) (b) assumed the duties of the
20 planning committee, the local long-term care council to monitor the implementation
21 of the program.

22 **SECTION 1038.** 46.27 (4) (c) 8. of the statutes is amended to read:

23 46.27 (4) (c) 8. If a pilot project under s. ~~46.271 (2m)~~ 46.281 (1) (d) is established
24 in the county, a description of how the activities of the pilot project relate to and are
25 coordinated with the county's proposed program.

1 **SECTION 1039.** 46.27 (5) (am) of the statutes is amended to read:

2 46.27 (5) (am) Organize assessment activities specified in sub. (6). The county
3 department or aging unit shall utilize persons for each assessment who can
4 determine the needs of the person being assessed and who know the availability
5 within the county of services alternative to placement in a nursing home. If any
6 hospital patient is referred to a nursing home for admission, these persons shall work
7 with the hospital discharge planner in performing the activities specified in sub. (6).
8 The county department or aging unit shall coordinate the involvement of
9 representatives from the county departments under ss. 46.215, 46.22, 51.42 and
10 51.437, health service providers and the county commission on aging in the
11 assessment activities specified in sub. (6), as well as the person being assessed and
12 members of the person's family or the person's guardian. This paragraph does not
13 apply to a county department or aging unit in a county where a pilot project under
14 s. ~~46.271 (2m)~~ 46.281 (1) (d) is established.

15 **SECTION 1040.** 46.27 (6) (a) 3. of the statutes is amended to read:

16 46.27 (6) (a) 3. In each participating county, except in counties where a pilot
17 project under s. ~~46.271 (2m)~~ 46.281 (1) (d) is established, assessments shall be
18 conducted for those persons and in accordance with the procedures described in the
19 county's community options plan. The county may elect to establish assessment
20 priorities for persons in target groups identified by the county in its plan regarding
21 gradual implementation. If a person who is already admitted to a nursing home
22 requests an assessment and if funds allocated for assessments under sub. (7) (am)
23 are available, the county shall conduct the assessment.

24 **SECTION 1041.** 46.27 (6g) (intro.) of the statutes is amended to read:

1 46.27 **(6g)** FISCAL RESPONSIBILITY. (intro.) Except as provided in s. 51.40, and
2 within the limitations under sub. (7) (b), the fiscal responsibility of a county for an
3 assessment, unless the assessment is performed by an entity under s. ~~46.271(2m)~~
4 46.281 (1) (d), case plan or services provided to a person under this section is as
5 follows:

6 **SECTION 1041m.** 46.27 (6r) (f) of the statutes is created to read:

7 46.27 **(6r)** (f) A person who has attained the age of 18 but has not attained the
8 age of 65 unless that person is engaged in gainful employment or participating in a
9 program that is certified by the department to provide health and employment
10 services that are aimed at helping the individual achieve employment goals. The
11 department may waive this paragraph for any individual for whom its application
12 would cause undue hardship.

13 **SECTION 1042.** 46.27 (6u) (c) 2. of the statutes is amended to read:

14 46.27 **(6u)** (c) 2. For a person who is determined to be financially eligible under
15 subd. 1. calculate, by use of the uniform fee system under s. 46.03 (18), the amount
16 of cost sharing required for receipt of long-term community support services
17 provided under sub. (5) (b). The county department or aging unit shall require
18 payment by the person of 100% of the amount calculated under this subdivision,
19 unless the person is a recipient of medical assistance under s. 49.472. If the person
20 is a recipient of medical assistance under s. 49.472, the county department or aging
21 unit may not require any payment from the person under this subdivision.

22 **SECTION 1043.** 46.27 (7) (am) of the statutes is amended to read:

23 46.27 **(7)** (am) From the appropriation under s. 20.435 (7) (bd), the department
24 shall allocate funds to each county or private nonprofit agency with which the
25 department contracts to pay assessment and case plan costs under sub. (6) not

1 otherwise paid by fee or under s. 49.33 (2) or 49.45. The department shall reimburse
2 counties for the cost of assessing persons eligible for medical assistance under s.
3 49.46, 49.468 or 49.47 as part of the administrative services of medical assistance,
4 payable under s. 49.45 (3) (a). Counties may use unspent funds allocated under this
5 paragraph to pay the cost of long-term community support services and for a risk
6 reserve under par. (fr).

7 **SECTION 1044.** 46.27 (7) (b) of the statutes is amended to read:

8 46.27 (7) (b) 1m. From the appropriations under s. 20.435 (7) (bd) and (im), the
9 department shall allocate funds to each county to pay the cost of providing long-term
10 community support services under sub. (5) (b) not otherwise paid under s. 49.45 to
11 persons eligible for medical assistance under s. 49.46 or 49.47 or to persons whom
12 the county department or aging unit administering the program finds likely to
13 become medically indigent within 6 months by spending excess income or assets for
14 medical or remedial care. The average per person reimbursement under this
15 paragraph may not exceed the state share of the average per person payment rate
16 the department expects under s. 49.45 (6m). The county department or aging unit
17 administering the program may spend funds received under this paragraph only in
18 accordance with the case plan and service contract created for each person receiving
19 long-term community support services. Counties may use unspent funds allocated
20 under this paragraph from the appropriation under s. 20.435 (7) (bd) for a risk
21 reserve under par. (fr).

22 **SECTION 1045.** 46.27 (7) (cj) 3. a. of the statutes is amended to read:

23 46.27 (7) (cj) 3. a. An assessment under sub. (6) has been completed for the
24 person prior to the person's admission to the community-based residential facility,
25 ~~whether or not the person is a private pay admittee at the time of admission.~~ except

1 that a person seeking admission or about to be admitted on a private pay basis may
2 waive the assessment, unless the person is expected to become eligible for medical
3 assistance within 6 months of assessment. The county may waive this condition in
4 accordance with guidelines established by the department. If the county waives this
5 condition, the county must meet with the person or the person’s guardian to discuss
6 the cost-effectiveness of various service options.

7 **SECTION 1045d.** 46.27 (7) (ck) 1. of the statutes is amended to read:

8 46.27 (7) (ck) 1. Subject to the approval of the department, and except as
9 provided in sub. (7b) (a), a county may establish and implement more restrictive
10 conditions than those imposed under par. (cj) on the use of funds received under par.
11 (b) for the provision of services to a person in a community-based residential facility.
12 A county that establishes more restrictive conditions under this subdivision shall
13 include the conditions in its community options plan under sub. (3) (cm).

14 **SECTION 1045g.** 46.27 (7) (cL) of the statutes is created to read:

15 46.27 (7) (cL) No county department or aging unit may deny services to a
16 person under par. (cj) who refused to have an assessment completed as required
17 under par. (cj) 3. a. before the effective date of this paragraph [revisor inserts
18 date].

19 **SECTION 1045k.** 46.27 (7) (cm) 1. (intro.) of the statutes is amended to read:

20 46.27 (7) (cm) 1. (intro.) ~~Beginning~~ Except as provided sub. (7b), beginning on
21 January 1, 1996, no county, private nonprofit agency or aging unit may use funds
22 received under par. (b) to provide services in any community-based residential
23 facility that has more than 8 beds, unless one of the following applies:

24 **SECTION 1046.** 46.27 (7) (fm) of the statutes is amended to read:

1 46.27 (7) (fm) The department shall, at the request of a county, carry forward
2 up to 10% of the amount allocated under this subsection to the county for a calendar
3 year if up to 10% of the amount so allocated has not been spent or encumbered by the
4 county by December 31 of that year, for use by the county in the following calendar
5 year, except that the amount carried forward shall be reduced by the amount of funds
6 that the county has notified the department that the county wishes to place in a risk
7 reserve under par. (fr). The department may transfer funds within s. 20.435 (7) (bd)
8 to accomplish this purpose. An allocation under this paragraph does not affect a
9 county's base allocation under this subsection and shall lapse to the general fund
10 unless expended within the calendar year to which the funds are carried forward.
11 A county may not expend funds carried forward under this paragraph for
12 administrative or staff costs, except administrative or staff costs that are associated
13 with implementation of the waiver under sub. (11) and approved by the department.

14 **SECTION 1047.** 46.27 (7) (fr) of the statutes is created to read:

15 46.27 (7) (fr) 1. Notwithstanding s. 46.036 (3) and (5m), a county may place in
16 a risk reserve funds that are allocated under par. (am) or (b) or sub. (11) (c) 3. and
17 are not expended or encumbered for services under this subsection or sub. (11). The
18 county shall notify the department of this decision and of the amount to be placed in
19 the risk reserve. The county shall maintain the risk reserve in an interest-bearing
20 escrow account with a financial institution, as defined in s. 69.30 (1) (b), if the
21 department has approved the terms of the escrow. All interest from the principal
22 shall be reinvested in the escrow account.

23 2. The annual amount of a county's expenditure for a risk reserve, as specified
24 in subd. 1., may not exceed 10% of the county's most recent allocation under pars.
25 (am) and (b) and sub. (11) (c) 3. or \$750,000, whichever is less. The total amount of

1 the risk reserve, including interest, may not exceed 15% of the county's most recent
2 allocation under this subsection.

3 3. A county may expend funds maintained in a risk reserve, as specified in subd.
4 1., for any of the following purposes:

5 a. To defray costs of long-term community support services under this section.

6 b. To meet requirements under any contract that the county has with the
7 department to operate a care management organization under s. 46.284.

8 c. If approved by a resolution of the county board of supervisors, to transfer
9 funds to a family care district.

10 d. If approved by the department, for administrative or staff costs under this
11 section.

12 4. A county that maintains a risk reserve, as specified in subd. 1., shall
13 annually, on a form prescribed by the department, submit to the department a record
14 of the status of the risk reserve, including revenues and disbursements.

15 **SECTION 1048.** 46.27 (7) (g) (intro.) of the statutes is amended to read:

16 46.27 (7) (g) (intro.) The department may carry forward to the next state fiscal
17 year ~~up to \$500,000 of~~ funds allocated under this subsection and not encumbered by
18 counties by December 31 or carried forward under par. (fm). The department may
19 transfer moneys within s. 20.435 (7) (bd) to accomplish this purpose. An allocation
20 under this paragraph shall not affect a county's base allocation for the program. The
21 department may allocate these transferred moneys during the next fiscal year to
22 counties for planning and implementation of resource centers under s. 46.283 or care
23 management organizations under s. 46.284 and for the improvement or expansion
24 of long-term community support services for clients whose cost of care significantly

1 exceeds the average cost of care provided under this section, including any of the
2 following:

3 **SECTION 1048m.** 46.27 (7b) of the statutes is created to read:

4 46.27 (7b) PILOT PROGRAM IN CHIPPEWA COUNTY. The department shall establish
5 a pilot project in Chippewa County to effect all of the following:

6 (a) Notwithstanding the maximum total amount established by Chippewa
7 County under sub. (3) (f), Chippewa County may not deny services under this section
8 to an eligible individual who resides in a community–based residential facility when
9 the individual becomes eligible, solely because the maximum total amount has been
10 reached.

11 (b) In making a determination under sub. (7) (c) 3. e. regarding the
12 cost–effectiveness of a placement in a community–based residential facility,
13 Chippewa County shall consider all state and federal funds needed for all options
14 considered.

15 (c) Chippewa County, or a private nonprofit agency or aging unit in Chippewa
16 County, may use funds received under sub. (7) (b) to provide services in any
17 community–based residential facility that has 20 or fewer beds notwithstanding sub.
18 (7) (cm) 1. Subsection (7) (cm) 1. applies in Chippewa County, however, with respect
19 to the use of funds received under sub. (7) (b) to provide services in any
20 community–based residential facility that has more than 20 beds.

21 **SECTION 1049.** 46.27 (7g) (c) 3. (intro.) of the statutes is amended to read:

22 46.27 (7g) (c) 3. (intro.) The court shall reduce the amount of a claim under
23 subd. 1. by up to \$3,000 the amount specified in s. 861.33 (2) if necessary to allow the
24 client’s heirs or the beneficiaries of the client’s will to retain the following personal
25 property:

1 **SECTION 1050.** 46.27 (7g) (c) 3. c. of the statutes is amended to read:

2 46.27 (7g) (c) 3. c. Other tangible personal property not used in trade,
3 agriculture or other business, not to exceed \$1,000 in value the amount specified in
4 s. 861.33 (1) (a) 4.

5 **SECTION 1051.** 46.27 (7g) (c) 5. of the statutes is renumbered 46.27 (7g) (c) 5.
6 a. and amended to read:

7 46.27 (7g) (c) 5. a. If the department's claim is not allowable because of subd.
8 4. and the estate includes an interest in a home, the court exercising probate
9 jurisdiction shall, in the final judgment or summary findings and order, assign the
10 interest in the home subject to a lien in favor of the department for the amount
11 described in subd. 1. The personal representative or petitioner for summary
12 settlement or summary assignment of the estate shall record the final judgment as
13 provided in s. 863.29, 867.01 (3) (h) or 867.02 (2) (h).

14 **SECTION 1052.** 46.27 (7g) (c) 5. b. of the statutes is created to read:

15 46.27 (7g) (c) 5. b. If the department's claim is not allowable because of subd.
16 4., the estate includes an interest in a home and the personal representative closes
17 the estate by sworn statement under s. 865.16, the personal representative shall
18 stipulate in the statement that the home is assigned subject to a lien in favor of the
19 department for the amount described in subd. 1. The personal representative shall
20 record the statement in the same manner as described in s. 863.29, as if the
21 statement were a final judgment.

22 **SECTION 1053.** 46.27 (7g) (h) of the statutes is created to read:

23 46.27 (7g) (h) The department may contract with or employ an attorney to
24 probate estates to recover under this subsection the costs of care.

25 **SECTION 1054.** 46.27 (9) (a) of the statutes is amended to read:

1 46.27 (9) (a) The department may select up to 5 counties that volunteer to
2 participate in a pilot project under which they will receive certain funds allocated for
3 long-term care. The department shall allocate a level of funds to these counties
4 equal to the amount that would otherwise be paid under s. 20.435 (5) (4) (b) to nursing
5 homes for providing care because of increased utilization of nursing home services,
6 as estimated by the department. In estimating these levels, the department shall
7 exclude any increased utilization of services provided by state centers for the
8 developmentally disabled. The department shall calculate these amounts on a
9 calendar year basis under sub. (10).

10 **SECTION 1055.** 46.27 (9) (c) of the statutes is amended to read:

11 46.27 (9) (c) All long-term community support services provided under this
12 pilot project in lieu of nursing home care shall be consistent with those services
13 described in the participating county's community options plan under sub. (4) (c) 1.
14 and provided under sub. (5) (b). Unless the department has contracted under s.
15 ~~46.271 (2m)~~ 46.281 (1) (d) with an entity other than the county department, each
16 county participating in the pilot project shall assess persons under sub. (6).

17 **SECTION 1056.** 46.27 (10) (a) 1. of the statutes is amended to read:

18 46.27 (10) (a) 1. The department shall determine for each county participating
19 in the pilot project under sub. (9) a funding level of state medical assistance
20 expenditures to be received by the county. This level shall equal the amount that the
21 department determines would otherwise be paid under s. 20.435 (5) (4) (b) because
22 of increased utilization of nursing home services, as estimated by the department.

23 **SECTION 1057.** 46.27 (11) (c) 3. of the statutes is amended to read:

24 46.27 (11) (c) 3. Medical assistance reimbursement for services a county, a
25 private nonprofit agency or an aging unit with which the department contracts

1 provides under this subsection shall be made from the appropriations under s. 20.435
2 ~~(5)~~ (4) (o) and (7) (b) and (bd).

3 **SECTION 1058.** 46.27 (11) (c) 4. of the statutes is amended to read:

4 46.27 **(11)** (c) 4. The department may, from the appropriation under s. 20.435
5 ~~(5)~~ (4) (o), provide reimbursement for services provided under this subsection by
6 counties that are in excess of the current average annual per person rate, as
7 established by the department, and are less than or equal to the average amount
8 approved in the waiver received under par. (am).

9 **SECTION 1059.** 46.27 (11) (c) 5n. a. of the statutes is amended to read:

10 46.27 **(11)** (c) 5n. a. An assessment under sub. (6) has been completed for the
11 person prior to the person's admission to the community-based residential facility,
12 ~~whether or not the person is a private pay admittee at the time of admission. except~~
13 that a person seeking admission or about to be admitted on a private pay basis may
14 waive the assessment, unless the person is expected to become eligible for medical
15 assistance within 6 months of assessment. The county may waive this condition in
16 accordance with guidelines established by the department. If the county waives this
17 condition, the county must meet with the person or the person's guardian to discuss
18 the cost-effectiveness of various service options.

19 **SECTION 1059g.** 46.27 (11) (c) 5q. of the statutes is created to read:

20 46.27 **(11)** (c) 5q. No county department or aging unit may deny services to a
21 person under subd. 5n. who refused to have an assessment completed as required
22 under subd. 5n. a. before the effective date of this subdivision [revisor inserts
23 date].

24 **SECTION 1060.** 46.271 (2m) of the statutes is repealed.

25 **SECTION 1061.** 46.275 (5) (a) of the statutes is amended to read:

1 46.275 (5) (a) Medical assistance reimbursement for services a county, or the
2 department under sub. (3r), provides under this program is available from the
3 appropriations under s. 20.435 ~~(5)~~ (4) (b) and (o). If 2 or more counties jointly contract
4 to provide services under this program and the department approves the contract,
5 medical assistance reimbursement is also available for services provided jointly by
6 these counties.

7 **SECTION 1062.** 46.275 (5) (c) of the statutes is amended to read:

8 46.275 (5) (c) The total allocation under s. 20.435 ~~(5)~~ (4) (b) and (o) to counties
9 and to the department under sub. (3r) for services provided under this section may
10 not exceed the amount approved by the federal department of health and human
11 services. A county may use funds received under this section only to provide services
12 to persons who meet the requirements under sub. (4) and may not use unexpended
13 funds received under this section to serve other developmentally disabled persons
14 residing in the county.

15 **SECTION 1063.** 46.275 (5) (d) of the statutes is amended to read:

16 46.275 (5) (d) The department may, from the appropriation under s. 20.435 ~~(5)~~
17 (4) (o), provide reimbursement for services provided under this section by counties
18 that are in excess of the current average annual per person rate, as established by
19 the department, and are less than the average amount approved in the waiver
20 received under sub. (2).

21 **SECTION 1064.** 46.277 (5) (d) 1n. a. of the statutes is amended to read:

22 46.277 (5) (d) 1n. a. An assessment under s. 46.27 (6) has been completed for
23 the person prior to the person's admission to the community-based residential
24 facility, ~~whether or not the person is a private pay admittee at the time of admission.~~
25 except that a person seeking admission or about to be admitted on a private pay basis

1 may waive the assessment, unless the person is expected to become eligible for
2 medical assistance within 6 months of assessment. The county may waive this
3 condition in accordance with guidelines established by the department. If the county
4 waives this condition, the county must meet with the person or the person's guardian
5 to discuss the cost-effectiveness of various service options.

6 **SECTION 1065.** 46.278 (6) (d) of the statutes is amended to read:

7 46.278 (6) (d) If a county makes available nonfederal funds equal to the state
8 share of service costs under the waiver received under sub. (3), the department may,
9 from the appropriation under s. 20.435 (5) (4) (o), provide reimbursement for services
10 that the county provides under this section to persons who are in addition to those
11 who may be served under this section with funds from the appropriation under s.
12 20.435 (5) (4) (b).

13 **SECTION 1066.** 46.278 (6) (e) of the statutes is renumbered 46.278 (6) (e) 1.
14 (intro.) and amended to read:

15 46.278 (6) (e) 1. (intro.) The department may provide enhanced reimbursement
16 for services under the program for an individual who was relocated to the community
17 by a county department from ~~an~~ one of the following:

18 a. An intermediate care facility for the mentally retarded that closes under s.
19 50.03 (14).

20 2. a. The enhanced reimbursement rate under this paragraph subd. 1. a. and
21 b. shall be determined under a formula that is developed by the department.

22 **SECTION 1067.** 46.278 (6) (e) 1. b. of the statutes is created to read:

23 46.278 (6) (e) 1. b. An intermediate care facility for the mentally retarded or
24 a distinct part thereof that has a plan of closure approved by the department and that
25 intends to close within 12 months.

1 **SECTION 1067b.** 46.278 (6) (e) 1. c. of the statutes is created to read:

2 46.278 **(6)** (e) 1. c. An intermediate care facility for the mentally retarded that
3 has a plan of closure or significant reduction in capacity approved by the department
4 and that intends to close or significantly reduce its capacity within 60 months.

5 **SECTION 1067c.** 46.278 (6) (e) 2. b. of the statutes is created to read:

6 46.278 **(6)** (e) 2. b. The enhanced reimbursement rate under subd. 1. c. shall
7 be 90% of the enhanced reimbursement rate under this subd. 2. a.

8 **SECTION 1068.** 46.2805 of the statutes is created to read:

9 **46.2805 Definitions; long-term care.** In ss. 46.2805 to 46.2895:

10 **(1)** “Care management organization” means an entity that is certified as
11 meeting the requirements for a care management organization under s. 46.284 (3)
12 and that has a contract under s. 46.284 (2). “Care management organization” does
13 not mean an entity that contracts with the department to operate one of the
14 following:

15 (a) A program of all-inclusive care for persons aged 65 or older authorized
16 under 42 USC 1395 to 1395ggg.

17 (b) A demonstration program known as the Wisconsin partnership program
18 under a federal waiver authorized under 42 USC 1315.

19 **(2)** “Eligible person” means a person who meets all eligibility criteria under s.
20 46.286 (1) or (1m).

21 **(3)** “Enrollee” means a person who is enrolled in a care management
22 organization.

23 **(4)** “Family care benefit” means financial assistance for long-term care and
24 support items for an enrollee.

1 **(5)** “Family care district” means a special purpose district created under s.
2 46.2895 (1).

3 **(6)** “Family care district board” means the governing board of a family care
4 district.

5 **(7)** “Functional and financial screen” means a screen prescribed by the
6 department that is used to determine functional eligibility under s. 46.286 (1) (a) and
7 financial eligibility under s. 46.286 (1) (b).

8 **(7m)** “Local long–term care council” means a local long–term care council that
9 is appointed under s. 46.282 (2) (a).

10 **(8)** “Nonprofit organization” has the meaning given in s. 108.02 (19).

11 **(9)** “Older person” means a person who is aged at least 65.

12 **(10)** “Resource center” means an entity that meets the standards for operation
13 under s. 46.283 (3) or, if under contract to provide a portion of the services specified
14 under s. 46.283 (3), meets the standards for operation with respect to those services.

15 **(11)** “Tribe or band” means a federally recognized American Indian tribe or
16 band.

17 **SECTION 1069.** 46.281 of the statutes is created to read:

18 **46.281 Powers and duties of the department and the secretary;**
19 **long–term care. (1) DUTIES OF THE DEPARTMENT.** The department shall do all of the
20 following:

21 (a) Provide training to members of the council on long–term care who are aged
22 65 or older or who have physical or developmental disabilities or their family
23 members, guardians or other advocates, to enable these members to participate in
24 the council’s duties.

1 (b) Provide information to the council on long-term care, including copies of
2 reports submitted to the department by local long-term care councils, and seek
3 recommendations of the council.

4 (c) Request from the secretary of the federal department of health and human
5 services any waivers of federal medicaid laws necessary to permit the use of federal
6 moneys to provide the family care benefit to recipients of medical assistance. The
7 department shall implement any waiver that is approved and that is consistent with
8 ss. 46.2805 to 46.2895. Regardless of whether a waiver is approved, the department
9 may implement operation of resource centers, care management organizations and
10 the family care benefit.

11 (d) Before July 1, 2001:

12 1. Establish, in geographic areas in which resides no more than 29% of the
13 population that is eligible for the family care benefit, a pilot project under which the
14 department may contract with a county, a family care district, a tribe or band or the
15 Great Lakes inter-tribal council, inc., or with any 2 or more of these entities under
16 a joint application, to operate a resource center.

17 2. In geographic areas in which resides no more than 29% of the population that
18 is eligible for the family care benefit, contract with counties or tribes or bands under
19 a pilot project to demonstrate the ability of counties or tribes or bands to manage all
20 long-term care programs and administer the family care benefit as care
21 management organizations.

22 (e) After June 30, 2001, if the local long-term care council for the applicable
23 area has developed the initial plan under s. 46.282 (3) (a) 1., contract with entities
24 specified under par. (d) and, only if specifically authorized by the legislature and if
25 the legislature appropriates necessary funding, contract as so authorized with one

1 or more entities in addition to those specified in par. (d) certified as meeting
2 requirements under s. 46.284 (3) for services of the entity as a care management
3 organization and one or more entities for services specified under s. 46.283 (3) and
4 (4).

5 (f) Prescribe and implement a per person monthly rate structure for costs of the
6 family care benefit.

7 (g) In order to maintain continuous quality assurance and quality
8 improvement for resource centers and care management organizations, do all of the
9 following:

10 1. Prescribe by rule and by contract and enforce performance standards for
11 operation of resource centers and care management organizations.

12 2. Use performance expectations that are related to outcomes for persons in
13 contracting with care management organizations and resource centers.

14 3. Conduct ongoing evaluations of the long-term care system specified in ss.
15 46.2805 to 46.2895.

16 4. Require that quality assurance and quality improvement efforts be included
17 throughout the long-term care system specified in ss. 46.2805 to 46.2895.

18 5. Ensure that reviews of the quality of management and service delivery of
19 resource centers and care management organizations are conducted by external
20 organizations and make information about specific review results available to the
21 public.

22 (h) Require by contract that resource centers and care management
23 organizations establish procedures under which an individual who applies for or
24 receives the family care benefit may register a complaint or grievance and
25 procedures for resolving complaints and grievances.

1 (i) Prescribe criteria to assign priority equitably on any necessary waiting lists
2 for persons who are eligible for the family care benefit but who do not meet the
3 criteria under s. 46.286 (3).

4 **(2) POWERS OF THE DEPARTMENT.** The department may develop risk-sharing
5 arrangements in contracts with care management organizations, in accordance with
6 applicable state laws and federal statutes and regulations.

7 **(3) DUTY OF THE SECRETARY.** The secretary shall certify to each county, hospital,
8 nursing home, community-based residential facility, adult family home and
9 residential care apartment complex the date on which a resource center that serves
10 the area of the county, hospital, nursing home, community-based residential facility,
11 adult family home or residential care apartment complex is first available to provide
12 a functional and financial screen. To facilitate phase-in of services of resource
13 centers, the secretary may certify that the resource center is available for specified
14 groups of eligible individuals or for specified facilities in the county.

15 **SECTION 1070.** 46.281 (1) (a) of the statutes, as created by 1999 Wisconsin Act
16 (this act), is repealed.

17 **SECTION 1071.** 46.281 (1) (b) of the statutes, as created by 1999 Wisconsin Act
18 (this act), is repealed.

19 **SECTION 1072.** 46.282 of the statutes is created to read:

20 **46.282 Councils on long-term care. (1) COUNCIL ON LONG-TERM CARE.** The
21 council on long-term care appointed under s. 15.197 (5) shall do all of the following:

22 (a) Assist the department in developing broad policy issues related to
23 long-term care services.

1 (b) Assist the department in developing, implementing, coordinating and
2 guiding long-term care services and systems, including by reviewing and making
3 nonbinding recommendations to the department on all of the following:

4 1. The department's standard contract provisions for resource centers and care
5 management organizations.

6 2. The family care benefit, including the per person rate structure for the
7 benefit.

8 3. The long-term support community options program under s. 46.27.

9 4. The community integration programs under ss. 46.275, 46.277 and 46.278.

10 5. Programs other than those under pars (c) and (d) that provide home and
11 community-based services.

12 6. The provision of medical assistance services under a fee-for-service system.

13 (c) Monitor patterns of complaints, grievances and appeals related to
14 long-term care in order to identify issues of statewide importance.

15 (d) Monitor the numbers of persons on waiting lists.

16 (e) Review patterns of utilization of various types of services by care
17 management organizations.

18 (f) Monitor the pattern of care management organization enrollments and
19 disenrollments throughout the state.

20 (g) Report annually to the legislature under s. 13.172 (2) and to the governor
21 on the status, significant achievements and problems of resource centers, care
22 management organizations and the family care benefit, including all of the following:

23 1. Numbers of persons served.

24 2. Costs of long-term care provided under the family care benefit.

1 3. The number and service areas of resource centers and care management
2 organizations.

3 4. Waiting list information.

4 5. Results of reviews of quality of services provided by resource centers and care
5 management organizations.

6 **(2)** LOCAL LONG-TERM CARE COUNCILS; APPOINTMENT; MEMBERSHIP; TERMS;
7 COMPENSATION AND TRAINING; OFFICERS. (a) *Appointment by a county.* In a county that
8 participates in a pilot project under s. 46.281 (1) (d) and before a county participates
9 in the program under ss. 46.2805 to 46.2895, the following shall be done:

10 1. The county board of supervisors of the county shall appoint a local long-term
11 care council or the county boards of supervisors of 2 or more contiguous counties shall
12 appoint a local long-term care council, except as follows:

13 a. In a county with a county executive or a county administrator, the county
14 executive or county administrator shall appoint the local long-term care council,
15 other than as provided in subd. 1. b., subject to confirmation by the county board of
16 supervisors.

17 b. If the lands of any tribe or band are located in the county or contiguous
18 counties to be served by a local long-term care council, each tribe or band with these
19 lands shall appoint at least one member of the local long-term care council.

20 2. A county board of supervisors or, in a county with a county executive or a
21 county administrator, the county executive or county administrator shall appoint
22 members of the local long-term care council who are required to be older persons or
23 persons with physical or developmental disabilities or their immediate family
24 members or other representatives from nominations that are submitted to the
25 county board of supervisors or the county executive or county administrator by older

1 persons or persons with physical or developmental disabilities or their immediate
2 family members or other representatives and by local organizations that represent
3 older persons or persons with physical or developmental disabilities.

4 (am) *Appointment by a tribe or band or council.* If a tribe or band or the Great
5 Lakes inter-tribal council, inc., intends to apply for a contract to operate a resource
6 center or for certification as a care management organization, the tribe or band or
7 the council shall, as a condition of the application or the certification appoint a local
8 long-term care council.

9 (b) *Membership.* 1. A local long-term care council that serves a single-county
10 area shall consist of 17 members, at least 9 of whom are older persons or persons with
11 physical or developmental disabilities or their immediate family members or other
12 representatives. The age or disability represented by these 9 members shall
13 correspond to the proportion of numbers of persons, as determined by the
14 department, receiving long-term care in this state who are aged 65 or older or have
15 a physical or developmental disability. The total remaining 8 members shall consist
16 of providers of long-term care services, persons residing in the county with
17 recognized ability and demonstrated interest in long-term care and up to 3 members
18 of the county board of supervisors or other elected officials.

19 2. A local long-term care council that serves an area of 2 or more contiguous
20 counties shall consist of 23 members, at least 12 of whom are older persons or persons
21 with physical or developmental disabilities or their immediate family members or
22 other representatives. The age or disability represented by these 12 members shall
23 correspond to the proportion of numbers of persons, as determined by the
24 department, receiving long-term care in this state who are aged 65 or older or have

1 a physical or developmental disability. The total remaining 11 members shall consist
2 of all of the following:

3 a. Providers of long-term care services.

4 b. Persons residing in the county with recognized ability and demonstrated
5 interest in long-term care.

6 c. Either up to 4 members of the county boards of supervisors or other elected
7 officials or, for a council that serves an area of more than 4 contiguous counties, up
8 to one member of the county board of supervisors of the contiguous counties or up to
9 one other elected official in each contiguous county area.

10 3. A local long-term care council that is appointed by a tribe or band or by the
11 Great Lakes inter-tribal council, inc., shall consist of 21 members, at least 11 of
12 whom are older persons or persons with physical or developmental disabilities or
13 their family members or other representatives. The age or disability represented by
14 these 11 members shall correspond to the proportion of numbers of persons, as
15 determined by the department, receiving long-term care in this state who are aged
16 65 or older or have a physical or developmental disability. The total remaining 10
17 members shall consist of providers of long-term care services, persons residing in the
18 county with recognized ability and demonstrated interest in long-term care and up
19 to 3 members of the governing board of the tribe or band or the Great Lakes
20 inter-tribal council, inc., that appoints the local long-term care council.

21 4. Vacancies in membership in a local long-term care council shall be filled for
22 the residue of the unexpired term in the manner that the original appointments are
23 made. A local long-term care council member may be removed from office for the
24 following reasons:

1 a. For cause, by a two-thirds vote of each county board of supervisors or
2 governing body of a tribe or band participating in the appointment, on due notice in
3 writing and hearing of the charges against the member.

4 b. If the member, when appointed, was a member of the county board of
5 supervisors or was another elected official and was not reelected to that office, on due
6 notice in writing.

7 (c) *Terms.* The members of the local long-term care council appointed under
8 par. (a) shall serve 3-year terms. No member may serve more than 2 consecutive
9 terms. Of the members first appointed under par. (b) 1., 6 shall be appointed for 3
10 years; 6 shall be appointed for 4 years; and 5 shall be appointed for 5 years. Of the
11 members first appointed under par. (b) 2., 8 shall be appointed for 3 years; 8 shall be
12 appointed for 4 years; and 7 shall be appointed for 5 years. Of the members appointed
13 under par. (b) 3., one-third shall be appointed for 3 years; one-third shall be
14 appointed for 4 years; and one-third shall be appointed for 5 years.

15 (d) *Compensation and training.* Members of the local long-term care council
16 who are older persons, persons with physical or developmental disabilities or the
17 family members or other representatives of these persons shall receive compensation
18 from the applicable county for reasonable expenses associated with membership
19 participation. The county board of supervisors or, in the case of a member appointed
20 by the governing body of a tribe or band or by the Great Lakes inter-tribal council,
21 inc., the tribe or band or the Great Lakes inter-tribal council, inc., shall provide
22 training to these members to enable them to participate effectively.

23 (e) *Officers.* At the first meeting of a local long-term care council, members
24 shall elect from their number a chairperson, a secretary and other officers as
25 necessary. Vacancies in these offices shall be filled for the unexpired terms. The

1 chairperson shall preside at all meetings when present and countersign all actions
2 taken by the local long-term care council. In case of the absence of the chairperson
3 for any meeting, the members present shall choose a temporary chairperson.

4 **(3) LOCAL LONG-TERM CARE COUNCILS; POWERS AND DUTIES.** (a) A local long-term
5 care council shall do all of the following within the council's area:

6 1. Develop the initial plan for the structure of the county, multicounty or tribal
7 resource center and care management organization or organizations, including
8 formulating recommendations to the county board or boards of supervisors and, in
9 a county with a county executive or a county administrator, to the county executive
10 or county administrator, to the governing body of the tribe or band or of the Great
11 Lakes inter-tribal council, inc., if applicable, and to the department on all of the
12 following:

13 a. Whether or not the county, counties, tribe or band or Great Lakes inter-tribal
14 council, inc., should exercise its right to apply under s. 46.283 (1) for a contract to
15 operate a resource center or to apply under s. 46.284 (1) for a contract to operate a
16 care management organization and how the operation should proceed.

17 b. Whether the county should create a family care district to operate a resource
18 center or under a care management organization.

19 c. Whether local organizations other than the county should serve as
20 alternatives or in addition to county-operated entities to operate a resource center
21 or a care management organization and, if so, which organizations should be
22 considered.

23 d. If applicable, how county-operated functions should interact with a resource
24 center or care management organization that is operated by a tribe or band or by the
25 Great Lakes inter-tribal council, inc.

1 2. a. In the years 2000 and 2001, under criteria that the department prescribes,
2 after consulting with the council on long-term care, evaluate the performance of the
3 care management organization or organizations in the area of the local long-term
4 care council and determine whether additional care management organizations are
5 needed in the area and, if so, recommend this to the department.

6 b. In the year 2002 and thereafter, under criteria that the department
7 prescribes, evaluate the performance of the care management organization or
8 organizations in the area of the local long-term care council and determine whether
9 additional care management organizations are needed in the area and, if so
10 recommend this to the department.

11 3. Advise the department regarding applications for initial certification or
12 certification renewal of care management organizations in the area of the local
13 long-term care council, including providing recommendations for organizations
14 applying for certification or recertification, and assist the department in reviewing
15 and evaluating the applications.

16 4. Receive information about and monitor complaints from persons served by
17 the care management organization in the area concerning whether the numbers of
18 providers of long-term care services used by the care management organization are
19 sufficient to ensure convenient and desirable consumer choice and provide
20 recommendations under subd. 3. to the department about this issue.

21 5. Review initial plans and existing provider networks of any care management
22 organization in the area to assist the care management organization in developing
23 a network of service providers that includes a sufficient number of accessible,
24 convenient and desirable services.

1 6. Advise care management organizations about whether to offer optional
2 acute and primary health care services and, if so, how these benefits should be
3 offered.

4 7. Review the utilization of various types of long-term care services by care
5 management organizations in the area.

6 8. Monitor the pattern of enrollments and disenrollments in local care
7 management organizations.

8 9. Identify gaps in services, living arrangements and community resources and
9 develop strategies to build local capacity to serve older persons and persons with
10 physical or developmental disabilities, especially those with long-term care needs.

11 10. Perform long-range planning on policy for older persons and persons with
12 physical or developmental disabilities.

13 11. Annually review interagency agreements between a resource center and
14 care management organization or organizations and make recommendations, as
15 appropriate, on the interaction between the resource center and the care
16 management organization or organizations to assure coordination between or
17 among them.

18 12. Annually review the number and types of complaints and grievances about
19 the long-term care system by persons who receive or may receive care under the
20 system, to determine if a need exists for system changes, and recommend system or
21 other changes if appropriate.

22 13. Identify potential new sources of community resources and funding for
23 needed services for older persons and persons with physical or developmental
24 disabilities.

1 14. Support long-term care system improvements to improve services to older
2 persons and persons with physical or developmental disabilities and their families.

3 15. Annually report to the department and, before July 1, 2001, to the
4 long-term care council concerning significant achievements and problems in the
5 local long-term care system.

6 (b) A local long-term care council may, within the local long-term care council's
7 area, assume the duties of the county long-term community support planning
8 committee as specified under s. 46.27 (4).

9 **SECTION 1073.** 46.282 (1) of the statutes, as created by 1999 Wisconsin Act
10 (this act), is repealed.

11 **SECTION 1074.** 46.283 of the statutes is created to read:

12 **46.283 Resource centers. (1) APPLICATION FOR CONTRACT.** (a) After
13 considering recommendations of the local long-term care council under s. 46.282 (3)
14 (a) 1., a county board of supervisors and, in a county with a county executive or a
15 county administrator, the county executive or county administrator, may decide all
16 of the following:

17 1. Whether to authorize one or more county departments under s. 46.21,
18 46.215, 46.22 or 46.23 or an aging unit under s. 46.82 (1) (a) 1. or 2. to apply to the
19 department for a contract to operate a resource center and, if so, which to authorize
20 and what client group to serve.

21 2. Whether to create a family care district to apply to the department for a
22 contract to operate a resource center.

23 (b) After considering recommendations of the local long-term care council
24 under s. 46.282 (3) (a) 1., the governing body of a tribe or band or of the Great Lakes
25 inter-tribal council, inc., may decide whether to authorize a tribal agency to apply

1 to the department for a contract to operate a resource center for tribal members and,
2 if so, which client group to serve.

3 (c) Under the requirements of par. (a), a county board of supervisors may decide
4 to apply to the department for a contract to operate a multicounty resource center
5 in conjunction with the county board or boards of one or more other counties or a
6 county–tribal resource center in conjunction with the governing body of a tribe or
7 band or the Great Lakes inter–tribal council, inc.

8 (d) Under the requirements of par. (b), the governing body of a tribe or band may
9 decide to apply to the department for a contract to operate a resource center in
10 conjunction with the governing body or governing bodies of one or more other tribes
11 or bands or the Great Lakes inter–tribal council, inc., or with a county board of
12 supervisors.

13 **(2) EXCLUSIVE CONTRACT.** (a) Before July 1, 2001, the department may contract
14 only with a county, a family care district, the governing body of a tribe or band or the
15 Great Lakes inter–tribal council, inc., or with 2 or more of these entities under a joint
16 application, to operate a resource center.

17 (b) After June 30, 2001, the department shall contract with the entities
18 specified under s. 46.281 (1) (d) 1. and may, in addition to contracting with these
19 entities and subject to approval of necessary funding, contract to operate a resource
20 center with counties, family care districts, the governing body of a tribe or band or
21 the Great Lakes inter–tribal council, inc., or under a joint application of any of these,
22 or with a private nonprofit organization if the department determines that the
23 organization has no significant connection to an entity that operates a care
24 management organization and if any of the following applies:

1 1. A county board of supervisors declines in writing to apply for a contract to
2 operate a resource center.

3 2. A county agency or a family care district applies for a contract but fails to
4 meet the standards specified in sub. (3).

5 **(3) STANDARDS FOR OPERATION.** The department shall assure that at least all of
6 the following are available to a person who contacts a resource center for service:

7 (a) Information and referral services and other assistance at hours that are
8 convenient for the public.

9 (b) A determination of functional eligibility for the family care benefit.

10 (c) Within the limits of available funding, prevention and intervention services.

11 (d) Counseling concerning public and private benefits programs.

12 (e) A determination of financial eligibility and of the maximum amount of cost
13 sharing required for a person who is seeking long-term care services, under
14 standards prescribed by the department.

15 (f) Assistance to a person who is eligible for the family care benefit with respect
16 to the person's choice of whether or not to enroll in a care management organization
17 and, if so, which available care management organization would best meet his or her
18 needs.

19 (g) Assistance in enrolling in a care management organization for persons who
20 choose to enroll.

21 (h) Equitable assignment of priority on any necessary waiting lists, consistent
22 with criteria prescribed by the department, for persons who are eligible for the family
23 care benefit but who do not meet the criteria under s. 46.286 (3).

1 (i) Assessment of risk for each person who is on a waiting list, as described in
2 par. (h), development with the person of an interim plan of care and assistance to the
3 person in arranging for services.

4 (j) Transitional services to families whose children with physical or
5 developmental disabilities are preparing to enter the adult service system.

6 (k) A determination of eligibility for state supplemental payments under s.
7 49.77, medical assistance under s. 49.46, 49.468 or 49.47 or the federal food stamp
8 program under 7 USC 2011 to 2029.

9 **(4) DUTIES.** A resource center shall do all of the following:

10 (a) Provide services within the entire geographic area prescribed for the
11 resource center by the department.

12 (b) Submit to the department all reports and data required or requested by the
13 department.

14 (c) Implement internal quality improvement and quality assurance processes
15 that meet standards prescribed by the department.

16 (d) Cooperate with any review by an external advocacy organization.

17 (e) Within 6 months after the family care benefit is available to all eligible
18 persons in the area of the resource center, provide information about the services of
19 the resource center, including the services specified in sub. (3) (d), about assessments
20 under s. 46.284 (4) (b) and care plans under s. 46.284 (4) (c) and about the family care
21 benefit to all older persons and persons with a physical disability who are residents
22 of nursing homes, community-based residential facilities, adult family homes and
23 residential care apartment complexes in the area of the resource center.

1 (f) Provide a functional and financial screen to any resident, as specified in par.
2 (e), who requests a screen and assist any resident who is eligible and chooses to enroll
3 in a care management organization to do so.

4 (g) Provide a functional and financial screen to any person seeking admission
5 to a nursing home, community-based residential facility, residential care apartment
6 complex or adult family home if the secretary has certified that the resource center
7 is available to the person and the facility and the person is determined by the
8 resource center to have a condition that is expected to last at least 90 days that would
9 require care, assistance or supervision. A resource center may not require a financial
10 screen for a person seeking admission or about to be admitted on a private pay basis
11 who waives the requirement for a financial screen under this paragraph, unless the
12 person is expected to become eligible for medical assistance within 6 months. A
13 resource center need not provide a functional screen for a person seeking admission
14 or about to be admitted who has received a screen for functional eligibility under s.
15 46.286 (1) (a) within the previous 6 months.

16 (h) Provide access to services under s. 46.90 and ch. 55 to a person who is
17 eligible for the services, through cooperation with the county agency or agencies that
18 provide the services.

19 (i) Assure that emergency calls to the resource center are responded to
20 promptly, 24 hours per day.

21 **(5) FUNDING.** From the appropriation accounts under s. 20.435 (4) (b), (bm) and
22 (pa) and (7) (b), (bd) and (md), the department may contract with organizations that
23 meet standards under sub. (3) for performance of the duties under sub. (4) and shall
24 distribute funds for services provided by resource centers.

1 **(6) GOVERNING BOARD.** A resource center shall have a governing board that
2 reflects the ethnic and economic diversity of the geographic area served by the
3 resource center. At least one-fourth of the members of the governing board shall be
4 older persons or persons with physical or developmental disabilities or their family
5 members, guardians or other advocates.

6 **(7) CONFIDENTIALITY; EXCHANGE OF INFORMATION.** No record, as defined in s. 19.32
7 (2), of a resource center that contains personally identifiable information, as defined
8 in s. 19.62 (5), concerning an individual who receives services from the resource
9 center may be disclosed by the resource center without the individual's informed
10 consent, except as follows:

11 (a) A resource center may provide information as required to comply with s.
12 16.009 (2) (p) or 49.45 (4) or as necessary for the department to administer the
13 program under ss. 46.2805 to 46.2895.

14 (b) Notwithstanding ss. 48.78 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.06
15 (17) (c), 146.82, 252.11 (7), 253.07 (3) (c) and 938.78 (2) (a), a resource center acting
16 under this section may exchange confidential information about a client, as defined
17 in s. 46.287 (1), without the informed consent of the client, under s. 46.21 (2m) (c),
18 46.215 (1m), 46.22 (1) (dm), 46.23 (3) (e), 46.284 (7), 46.2895 (10), 51.42 (3) (e) or
19 51.437 (4r) (b) in the county of the resource center, if necessary to enable the resource
20 center to perform its duties or to coordinate the delivery of services to the client.

21 **SECTION 1075.** 46.284 of the statutes is created to read:

22 **46.284 Care management organizations. (1) APPLICATION FOR CONTRACT.**

23 (a) After considering recommendations of the local long-term care council under s.
24 46.282 (3) (a) 1., a county board of supervisors and, in a county with a county

1 executive or a county administrator, the county executive or county administrator,
2 may decide all of the following:

3 1. Whether to authorize one or more county departments under s. 46.21,
4 46.215, 46.22 or 46.23 or an aging unit under s. 46.82 (1) (a) 1. or 2. to apply to the
5 department for a contract to operate a care management organization and, if so,
6 which to authorize and what client group to serve.

7 2. Whether to create a family care district to apply to the department for a
8 contract to operate a care management organization.

9 (b) The governing body of a tribe or band or of the Great Lakes inter-tribal
10 council, inc., may decide whether to authorize a tribal agency to apply to the
11 department for a contract to operate a care management organization for tribal
12 members and, if so, which client group to serve.

13 (c) Under the requirements of par. (a), a county board of supervisors may decide
14 to apply to the department for a contract to operate a multicounty care management
15 organization in conjunction with the county board or boards of one or more other
16 counties or a county-tribal care management organization in conjunction with the
17 governing body of a tribe or band or the Great Lakes inter-tribal council, inc.

18 (d) Under the requirements of par. (b), the governing body of a tribe or band may
19 decide to apply to the department for a contract to operate a care management
20 organization in conjunction with the governing body or governing bodies of one or
21 more other tribes or bands or the Great Lakes inter-tribal council, inc., or with a
22 county board of supervisors.

23 **(2) CONTRACTS.** (a) The department may contract for operation of a care
24 management organization only with an entity that is certified as meeting the
25 requirements under sub. (3). No entity may operate as a care management

1 organization under the requirements of this section unless so certified and under
2 contract with the department.

3 (b) Within each county, the department shall initially contract to operate a care
4 management organization with the county or a family care district if the county
5 elects to operate a care management organization and the care management
6 organization meets the requirements of sub. (3) and performance standards
7 prescribed by the department. A county that contracts under this paragraph may
8 operate the care management organization for all of the target groups or for a
9 selected group or groups. With respect to contracts exclusively with counties to
10 operate a care management organization, all of the following apply:

11 1. Before January 1, 2003, the department may not contract with an
12 organization other than the county to operate a care management organization in
13 the county unless any of the following applies:

14 a. The county and the local long-term care council agree in writing that at least
15 one additional care management organization is necessary or desirable.

16 b. The governing body of a tribe or band or the Great Lakes inter-tribal council,
17 inc., elects to operate a care management organization within the area and is
18 certified under sub. (3).

19 2. After December 31, 2002, and before January 1, 2004, the department may
20 not contract with an organization other than the county to operate a care
21 management organization in the county unless any of the following applies:

22 a. Subdivision 1. a. or b. applies.

23 b. The county fails to meet requirements of sub. (3) and performance standards
24 prescribed by the department.

1 c. The county does not have the capacity to serve all county residents who are
2 entitled to the family care benefit in the client group or groups that the county serves
3 and cannot develop the capacity. If this subd. 2. c. applies, the department may
4 contract with an organization in addition to the county.

5 3. After December 31, 2003, the department may contract with counties,
6 family care districts, the governing body of a tribe or band or the Great Lakes
7 inter-tribal council, inc., or under a joint application of any of these, or with a private
8 organization that has no significant connection to an entity that operates a resource
9 center. Proposals for contracts under this subdivision shall be solicited under a
10 competitive sealed proposal process under s. 16.75 (2m) and, after consulting with
11 the local long-term care council for the county or counties, the department shall
12 evaluate the proposals primarily as to the quality of care that is proposed to be
13 provided, certify those applicants that meet the requirements specified in sub. (3) (a),
14 select certified applicants for contract and contract with the selected applicants.

15 **(3) CERTIFICATION; REQUIREMENTS.** (a) If an entity meets the requirements
16 under par. (b) and applicable rules of the department and submits to the department
17 an application for initial certification or certification renewal, the department shall
18 certify that the entity meets the requirements for a care management organization.
19 An application shall include comments about the applicant and recommendations
20 about the application that are provided by the appropriate local long-term care
21 council, as specified under s. 46.282 (3) (a) 3.

22 (b) To be certified as a care management organization, an applicant shall
23 demonstrate or ensure all of the following:

24 1. Adequate availability of providers with the expertise and ability to provide
25 services that are responsive to the disabilities or conditions of all of the applicant's

1 proposed enrollees and sufficient representation of programmatic philosophies and
2 cultural orientations to accommodate a variety of enrollee preferences and needs.

3 2. Adequate availability of providers that can meet the preferences and needs
4 of its proposed service recipients for services at various times, including evenings,
5 weekends and, when applicable, on a 24–hour basis.

6 3. Adequate availability of providers that are able and willing to perform all
7 of the tasks that are likely to be identified in proposed enrollees' service and care
8 plans.

9 4. Adequate availability of residential and day services that are geographically
10 accessible to proposed enrollees' homes, families or friends.

11 5. Adequate supported living arrangements of the types and sizes that meet
12 proposed enrollees' preference and needs.

13 6. Expertise in determining and meeting the needs of every target population
14 that the applicant proposes to serve and connections to the appropriate service
15 providers.

16 7. Thorough knowledge of local long–term care and other community resources.

17 8. The ability to manage and deliver, either directly or through subcontracts
18 or partnerships with other organizations, the full range of benefits to be included in
19 the monthly payment amount.

20 9. Thorough knowledge of methods for maximizing informal caregivers and
21 community resources and integrating them into a service or care plan.

22 10. Coverage for a geographic area specified by the department.

23 11. The ability to develop strong linkages with systems and services that are
24 not directly within the scope of the applicant's responsibility but that are important

1 to the target group that it proposes to serve, including primary and acute health care
2 services.

3 12. Adequate and competent staffing by qualified personnel to perform all of
4 the functions that the applicant proposes to undertake.

5 **(4) DUTIES.** A care management organization shall, in addition to meeting all
6 contract requirements, do all of the following:

7 (a) Accept requested enrollment of any person who is entitled to the family care
8 benefit and of any person who is eligible for the family care benefit and for whom
9 funding is available. No care management organization may disenroll any enrollee,
10 except under circumstances specified by the department by contract. No care
11 management organization may encourage any enrollee to disenroll in order to obtain
12 long-term care services under the medical assistance fee-for-service system. No
13 involuntary disenrollment is effective unless the department has reviewed and
14 approved it.

15 (b) Conduct a comprehensive assessment for each enrollee, including an
16 in-person interview with the enrollee, using a standard format developed by the
17 department.

18 (c) With the enrollee and the enrollee's family or guardian, if appropriate,
19 develop a comprehensive care plan that reflects the enrollee's values and
20 preferences.

21 (d) Provide or contract for the provision of necessary services and monitor the
22 provided or contracted services.

23 (e) Provide, within guidelines established by the department, a mechanism by
24 which an enrollee may arrange for, manage and monitor his or her family care benefit
25 directly or with the assistance of another person chosen by the enrollee. The care

1 management organization shall monitor the enrollee's use of a fixed budget for
2 purchase of services or support items from any qualified provider, monitor the health
3 and safety of the enrollee and provide assistance in management of the enrollee's
4 budget and services at a level tailored to the enrollee's need and desire for the
5 assistance.

6 (f) Provide, on a fee-for-service basis, case management services to persons
7 who are functionally eligible but not financially eligible for the family care benefit.

8 (g) Meet all performance standards required by the federal government or
9 promulgated by the department by rule.

10 (h) Submit to the department reports and data required or requested by the
11 department.

12 (i) Implement internal quality improvement and assurance processes that
13 meet standards prescribed by the department by rule.

14 (j) Cooperate with external quality assurance reviews.

15 (k) Meet departmental requirements for protection of solvency.

16 (L) Annually submit to the department an independent financial audit that
17 meets federal requirements.

18 **(5) FUNDING AND RISK-SHARING.** (a) From the appropriation accounts under s.
19 20.435 (4) (b), (g) and (o) and (7) (b) and (bd), the department shall provide funding
20 on a capitated payment basis for the provision of services under this section.
21 Notwithstanding s. 46.036 (3) and (5m), a care management organization that is
22 under contract with the department may expend the funds, consistent with this
23 section, including providing payment, on a capitated basis, to providers of services
24 under the family care benefit.

1 (b) If the expenditures by a care management organization under par. (a)
2 exceed payments received from the department under par. (a), as determined by the
3 department by contract, the department may share the loss with the care
4 management organization, within the limits prescribed under the contract with the
5 department.

6 (c) If the payments received from the department under par. (a) exceed the
7 expenditures by a care management organization under par. (a), as determined by
8 the department by contract, the care management organization may retain a portion
9 of the excess payments, within the limits prescribed under the contract with the
10 department, and shall return the remainder to the department.

11 (d) The department may, by contract, impose solvency protections that the
12 department determines are reasonable and necessary to retain federal financial
13 participation. These protections may include all of the following:

14 1. The requirement that a care management organization segregate a risk
15 reserve from other funds of the care management organization or the authorizing
16 body for the care management organization.

17 2. The requirement that interest accruing to the risk reserve remain in the
18 escrow account for the risk reserve.

19 3. Limitations on the distribution of funds from the risk reserve.

20 4. The requirement that a care management organization place funds in a risk
21 reserve and maintain the risk reserve in an interest-bearing escrow account with a
22 financial institution, as defined in s. 69.30 (1) (b), or invest funds as specified in s.
23 46.2895 (4) (j) 2. or 3. Moneys in the risk reserve or invested as specified in this
24 subdivision may be expended only for the provision of services under this section.

25 If a care management organization ceases participation under this section, the funds

1 in the risk reserve or invested as specified in this subdivision, minus any
2 contribution of moneys other than those specified in par. (c), shall be returned to the
3 department. The department shall expend the moneys for the payment of
4 outstanding debts to providers of family care benefit services and for the
5 continuation of family care benefit services to enrollees.

6 (e) 1. Subject to subd. 2., a care management organization may enter into
7 contracts with providers of family care benefit services and may limit profits of the
8 providers under the contracts.

9 2. The department shall review the contracts in subd. 1., including rates for the
10 provision of service, to ensure that the contract terms protect services access by
11 enrollees and financial viability of the care management organization, and may
12 require contract revision.

13 **(6) GOVERNING BOARD.** A care management organization shall have a governing
14 board that reflects the ethnic and economic diversity of the geographic area served
15 by the care management organization. At least one-fourth of the members of the
16 governing board shall be older persons or persons with physical or developmental
17 disabilities or their family members, guardians or other advocates who are
18 representative of the care management organization's enrollee.

19 **(7) CONFIDENTIALITY; EXCHANGE OF INFORMATION.** No record, as defined in s. 19.32
20 (2), of a care management organization that contains personally identifiable
21 information, as defined in s. 19.62 (5), concerning an individual who receives services
22 from the care management organization may be disclosed by the care management
23 organization without the individual's informed consent, except as follows:

1 (a) A care management organization may provide information as required to
2 comply with s. 16.009 (2) (p) or 49.45 (4) or as necessary for the department to
3 administer the program under ss. 46.2805 to 46.2895.

4 (b) Notwithstanding ss. 48.78 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.06
5 (17) (c), 146.82, 252.11 (7), 253.07 (3) (c) and 938.78 (2) (a), a care management
6 organization acting under this section may exchange confidential information about
7 a client, as defined in s. 46.287 (1), without the informed consent of the client, under
8 s. 46.21 (2m) (c), 46.215 (1m), 46.22 (1) (dm), 46.23 (3) (e), 46.283 (7), 46.2895 (10),
9 51.42 (3) (e) or 51.437 (4r) (b) in the county of the care management organization, if
10 necessary to enable the care management organization to perform its duties or to
11 coordinate the delivery of services to the client.

12 **SECTION 1077.** 46.285 of the statutes is created to read:

13 **46.285 Operation of resource center and care management**
14 **organization. (1)** In order to meet federal requirements and assure federal
15 financial participation in funding of the family care benefit, a county, a tribe or band,
16 a family care district or an organization, including a private, nonprofit corporation,
17 may not directly operate both a resource center and a care management
18 organization, except as follows:

19 (a) For a pilot project established under s. 46.281 (1) (d) 2., provision of the
20 services specified under s. 46.283 (3) (b), (e), (f) and (g) shall be structurally separate
21 from the provision of services of the care management organization by
22 January 1, 2001.

23 (b) The department may approve separation of the functions of a resource
24 center from those of a care management organization by a means other than those
25 specified in sub. (2).

1 **(2)** Except as provided in sub. (1), all of the following apply to operation of both
2 a resource center and a care management organization:

3 (a) 1. If a county board of supervisors and, if applicable, a county executive or
4 a county administrator, elect to apply to the department for a contract to operate a
5 resource center, the county board of supervisors may create a family care district to
6 apply to the department for a contract to operate a care management organization.

7 2. If a county board of supervisors and, if applicable, a county executive or a
8 county administrator, elect to apply to the department for a contract to operate a care
9 management organization, the county board of supervisors may create a family care
10 district to apply to the department to operate a resource center.

11 (b) 1. If the governing body of a tribe or band elects to apply to the department
12 for a contract directly to operate a resource center, tribal or band members may form
13 a separate corporation to apply to the department for a contract to operate a care
14 management organization. No members of the governing board of the corporation
15 may be members of the tribal or band governing body.

16 2. If the governing body of a tribe or band elects to apply to the department for
17 a contract directly to operate a care management organization, tribal or band
18 members may form a separate corporation to apply to the department for a contract
19 to operate a resource center. No members of the governing board of the corporation
20 may be members of the tribal or band governing body.

21 (c) Any county or family care district that seeks to operate jointly with a tribe
22 or band or tribal or band corporation a care management organization or resource
23 center shall submit jointly with the tribe or band or tribal or band corporation an
24 application to the department to operate the care management organization or
25 resource center.

1 **SECTION 1078.** 46.286 of the statutes is created to read:

2 **46.286 Family care benefit. (1) ELIGIBILITY.** Except as provided in sub. (1m),
3 a person is eligible for, but not necessarily entitled to, the family care benefit if the
4 person is at least 18 years of age; has a physical disability, as defined in s. 15.197 (4)
5 (a) 2., or infirmities of aging, as defined in s. 55.01 (3); and meets all of the following
6 criteria:

7 (a) *Functional eligibility.* A person is functionally eligible if any of the following
8 applies, as determined by the department or its designee:

9 1. The person's functional capacity is at either of the following levels:

10 a. The comprehensive level, if the person has a long-term or irreversible
11 condition, expected to last at least 90 days or result in death within one year of the
12 date of application, and requires ongoing care, assistance or supervision.

13 b. The intermediate level, if the person has a condition that is expected to last
14 at least 90 days or result in death within 12 months after the date of application, and
15 is at risk of losing his or her independence or functional capacity unless he or she
16 receives assistance from others.

17 2. The person has a condition that is expected to last at least 90 days or result
18 in death within 12 months after the date of application and, on the date that the
19 family care benefit became available in the person's county of residence, the person
20 was a resident in a nursing home or had been receiving for at least 60 days, under
21 a written plan of care, long-term care services, as specified by the department, which
22 were funded under any of the following:

23 a. The long-term support community options program under s. 46.27.

24 b. Home and community-based waiver programs under 42 USC 1396n (c),
25 including community integration program under s. 46.275, 46.277 or 46.278.

1 c. The Alzheimer’s family caregiver support program under s. 46.87.

2 d. Community aids under s. 46.40, if documented by the county under a method
3 prescribed by the department.

4 e. County funding, if documented by the county under a method prescribed by
5 the department.

6 (b) *Financial eligibility*. A person is financially eligible if all of the following
7 apply:

8 1. As determined by the department or its designee, either of the following
9 applies:

10 a. The person would qualify for medical assistance except for financial or
11 disability criteria, and the projected cost of the person’s care plan, as calculated by
12 the department or its designee, exceeds the person’s gross monthly income, plus
13 one-twelfth of his or her countable assets, less deductions and allowances permitted
14 by rule by the department.

15 b. The person is eligible under ch. 49 for medical assistance.

16 2. If subd. 1. b. applies, the person accepts medical assistance unless he or she
17 is exempt from the acceptance under rules promulgated by the department.

18 **(1m)** ELIGIBILITY EXCEPTION. A person whose primary disabling condition is
19 developmental disability is eligible for the family care benefit if the person is a
20 resident of a county or is a member of a tribe or band that has operated, before
21 July 1, 2001, a care management organization under s. 46.281 (1) (d) and meets all
22 other eligibility criteria under this subsection.

23 **(2)** COST SHARING. (a) A person who is determined to be financially eligible
24 under sub. (1) (b) shall contribute to the cost of his or her care an amount that is
25 calculated by the department or its designee after subtracting from the person’s

1 gross income, plus one-twelfth of countable assets, the deductions and allowances
2 permitted by the department by rule.

3 (b) Funds received under par. (a) shall be used by a care management
4 organization to pay for services under the family care benefit.

5 (c) A person who is required to contribute to the cost of his or her care but who
6 fails to make the required contributions is ineligible for the family care benefit unless
7 he or she is exempt from the requirement under rules promulgated by the
8 department.

9 **(3) ENTITLEMENT.** (a) Subject to pars. (c) and (d), a person is entitled to and may
10 receive the family care benefit through enrollment in a care management
11 organization if he or she meets the requirements of sub. (1) (intro.), is financially
12 eligible, fulfills any applicable cost-sharing requirements and meets any of the
13 following criteria:

14 1. Is functionally eligible at the comprehensive level.

15 2. Is functionally eligible at the intermediate level and is eligible under sub. (1)
16 (b) 1. b.

17 3. Is functionally eligible at the intermediate level and is determined by an
18 agency under s. 46.90 (2) or specified in s. 55.05 (1t) to be in need of protective services
19 under s. 55.05 or protective placement under s. 55.06.

20 4. Is functionally eligible under sub. (1) (a) 2.

21 5. Is eligible under sub. (1m).

22 (b) An entitled individual who is enrolled in a care management organization
23 may not be involuntarily disenrolled except as follows:

24 1. For cause, subject to the requirements of s. 46.284 (4) (a).

1 2. If the contract between the care management organization and the
2 department is canceled or not renewed. If this circumstance occurs, the department
3 shall assure that enrollees continue to receive needed services through another care
4 management organization or through the medical assistance fee-for-service system
5 or any of the programs specified under sub. (1) (a) 2. a. to d.

6 3. The department or its designee determines that the person no longer meets
7 eligibility criteria under sub. (1).

8 (c) Within each county and for each client group, par. (a) shall first apply on the
9 effective date of a contract under which a care management organization accepts a
10 per person per month payment to provide services under the family care benefit to
11 eligible persons in that client group in the county. Within 24 months after this date,
12 the department shall assure that sufficient capacity exists within one or more care
13 management organizations to provide the family care benefit to all entitled persons
14 in that client group in the county.

15 (d) The department shall determine the date, which shall not be later than
16 July 1, 2000, on which par. (a) shall first apply to persons who are not eligible for
17 medical assistance under ch. 49.

18 **(4) DIVESTMENT; RULES.** The department shall promulgate rules relating to
19 prohibitions on divestment of assets of persons who receive the family care benefit,
20 that are substantially similar to applicable provisions under s. 49.453.

21 **(5) TREATMENT OF TRUST AMOUNTS; RULES.** The department shall promulgate
22 rules relating to treatment of trust amounts of persons who receive the family care
23 benefit, that are substantially similar to applicable provisions under s. 49.454.

24 **(6) PROTECTION OF INCOME AND RESOURCES OF COUPLE FOR MAINTENANCE OF**
25 **COMMUNITY SPOUSE; RULES.** The department shall promulgate rules relating to

1 protection of income and resources of couples for the maintenance of the spouse in
2 the community with regard to persons who receive the family care benefit, that are
3 substantially similar to applicable provisions under s. 49.455.

4 **(7) RECOVERY OF FAMILY CARE BENEFIT PAYMENTS; RULES.** The department shall
5 promulgate rules relating to the recovery from persons who receive the family care
6 benefit, including by liens and from estates, of correctly and incorrectly paid family
7 care benefits, that are substantially similar to applicable provisions under ss. 49.496
8 and 49.497.

9 **SECTION 1079.** 46.287 of the statutes is created to read:

10 **46.287 Hearings. (1) DEFINITION.** In this section, “client” means a person
11 applying for eligibility for the family care benefit, an eligible person or an enrollee.

12 **(2) HEARING.** (a) 1. Except as provided in subd. 2., a client may contest any of
13 the following applicable matters by filing, within 45 days of the failure of a resource
14 center or care management organization to act on the contested matter within the
15 time frames specified by rule by the department or within 45 days after receipt of
16 notice of a decision in a contested matter, a written request for a hearing under s.
17 227.44 to the division of hearings and appeals created under s. 15.103 (1):

- 18 a. Denial of eligibility under s. 46.286 (1) or (1m).
19 b. Determination of cost sharing under s. 46.286 (2).
20 c. Denial of entitlement under s. 46.286 (3).
21 d. Failure to provide timely services and support items that are included in the
22 plan of care.
23 e. Reduction of services or support items under the family care benefit.
24 f. Development of a plan of care that is unacceptable because the plan of care
25 requires the enrollee to live in a place that is unacceptable to the enrollee or the plan

1 of care provides care, treatment or support items that are insufficient to meet the
2 enrollee's needs, are unnecessarily restrictive or are unwanted by the enrollee.

3 g. Termination of the family care benefit.

4 h. Imposition of ineligibility for the family care benefit under s. 46.286 (4).

5 i. Denial of eligibility or reduction of the amounts of the family care benefit
6 under s. 46.286 (5).

7 j. Determinations similar to those specified under s. 49.455 (8) (a), made under
8 s. 46.286 (6).

9 k. Recovery of family care benefit payments under s. 46.286 (7).

10 2. An applicant for or recipient of medical assistance is not entitled to a hearing
11 concerning the identical dispute or matter under both this section and 42 CFR
12 431.200 to 431.246.

13 (b) An enrollee may contest a decision, omission or action of a care management
14 organization other than those specified in par. (a), or may contest the choice of service
15 provider. In these instances, the enrollee shall first send a written request for review
16 by the unit of the department that monitors care management organization
17 contracts. This unit shall review and attempt to resolve the dispute. If the dispute
18 is not resolved to the satisfaction of the enrollee, he or she may request a hearing
19 under the procedures specified in par. (a) 1. (intro.).

20 (c) Information regarding the availability of advocacy services and notice of
21 adverse actions taken and appeal rights shall be provided to a client by the resource
22 center or care management organization in a form and manner that is prescribed by
23 the department by rule.

24 **SECTION 1080.** 46.288 of the statutes is created to read:

1 **46.288 Rule-making.** The department shall promulgate as rules all of the
2 following:

3 **(1)** Standards for performance by resource centers and for certification of care
4 management organizations, including requirements for maintaining quality
5 assurance and quality improvement.

6 **(2)** Criteria and procedures for determining functional eligibility under s.
7 46.286 (1) (a), financial eligibility under s. 46.286 (1) (b), cost sharing under s. 46.286
8 (2) (a) and entitlement under s. 46.286 (3). The rules for determining functional
9 eligibility under s. 46.286 (1) (a) 1. a. shall be substantially similar to eligibility
10 criteria for receipt of the long-term support community options program under s.
11 46.27. Rules under this subsection shall include definitions of the following terms
12 applicable to s. 46.286:

13 (a) “Primary disabling condition”.

14 (b) “Mental illness”.

15 (c) “Substance abuse”.

16 (d) “Long-term or irreversible”.

17 (e) “Requires ongoing care, assistance or supervision”.

18 (f) “Condition that is expected to last at least 90 days or result in death within
19 one year”.

20 (g) “At risk of losing independence or functional capacity”.

21 (h) “Gross monthly income”.

22 (i) “Deductions and allowances”.

23 (j) “Countable assets”.

1 **(3)** Procedures and standards for procedures for s. 46.287 (2), including time
2 frames for action by a resource center or a care management organization on a
3 contested matter.

4 **SECTION 1081.** 46.289 of the statutes is created to read:

5 **46.289 Transition.** In order to facilitate the transition to the long-term care
6 system specified in ss. 46.2805 to 46.2895, within the limits of applicable federal
7 statutes and regulations and if the secretary of health and family services finds it
8 necessary, he or she may grant a county limited waivers to or exemptions from ss.
9 46.27 (3) (e) (intro.), 1. and 2. and (f), (5) (d) and (e), (6) (a) 1., 2. and 3. and (b) (intro.),
10 1. and 2., (6r) (c), (7) (b), (cj) and (cm) and (11) (c) 5m. (intro.) and 6. and 46.277 (3)
11 (a), (4) (a) and (5) (d) 1m., 1n. and 2. and rules promulgated under those provisions.

12 **SECTION 1082.** 46.2895 of the statutes is created to read:

13 **46.2895 Family care district. (1) CREATION.** (a) After considering
14 recommendations of the local long-term care council under s. 46.282 (3) (a) 1., a
15 county board of supervisors may create a special purpose district that is termed a
16 “family care district”, that is a local unit of government, that is separate and distinct
17 from, and independent of, the state and the county, and that has the powers and
18 duties specified in this section, if the county board does all of the following:

19 1. Adopts an enabling resolution that does all of the following:

20 a. Declares the need for establishing the family care district.

21 b. Specifies the family care district’s primary purpose, which shall be to
22 operate, under contract with the department, either a resource center under s.
23 46.283 or a care management organization under s. 46.284, but not both.

24 2. Files copies of the enabling resolution with the secretary of administration,
25 the secretary of health and family services and the secretary of revenue.

1 (b) The county boards of supervisors of 2 or more counties may together create
2 a family care district with the attributes specified in par. (a) (intro.) on a multicounty
3 basis within the counties if the county boards of supervisors comply with the
4 requirements of par. (a) 1. and 2.

5 **(2) JURISDICTION.** A family care district’s jurisdiction is the geographical area
6 of the county or counties of the county board or boards of supervisors who created the
7 family care district.

8 **(3) FAMILY CARE DISTRICT BOARD.** (a) 1. The county board of supervisors of a
9 county or, in a county with a county administrator or county executive, the county
10 administrator or county executive shall appoint the members of the family care
11 district board, which is the governing board of a family care district under sub. (1)
12 (a).

13 2. The county boards of supervisors of 2 or more counties shall appoint the
14 members of the family care district board, which is the governing board of the family
15 care district under sub. (1) (b). Each county board shall appoint members in the same
16 proportion that the county’s population represents to the total population of all of the
17 counties that constitute the jurisdiction of the family care district.

18 (b) 1. The family care district board appointed under par. (a) 1. shall consist of
19 15 persons who are residents of the area of jurisdiction of the family care district.
20 At least one-fourth of the members shall be representative of the client group or
21 groups whom it is the family care district’s primary purpose to serve or those clients’
22 family members, guardians or other advocates.

23 2. The family care district board appointed under par. (a) 2. shall consist of an
24 odd number of members that is at least 15 but not more than 21 persons, all of whom
25 are residents of the area of jurisdiction of the family care district. At least one-fourth

1 of the members shall be representative of the client group or groups whom it is the
2 family care district's primary purpose to serve or those clients' family members,
3 guardians or other advocates.

4 3. Membership of the family care district board under subd. 1. or 2. shall reflect
5 the ethnic and economic diversity of the area of jurisdiction of the family care district.
6 Up to one-fourth of the members of the board may be elected or appointed officials
7 or employes of the county or counties that created the family care district. No
8 member of the board may have a private financial interest in or profit directly or
9 indirectly from any contract or other business of the family care district.

10 (c) The members of the family care district board appointed under par. (a) shall
11 serve 3-year terms. No member may serve more than 2 consecutive terms. Of the
12 members first appointed, 5 shall be appointed for 3 years; 5 shall be appointed for
13 4 years; and 5 or, in the case of a board appointed under par. (b) 2., the remainder,
14 shall be appointed for 5 years. A member shall serve until his or her successor is
15 appointed, unless removed for cause under s. 17.13.

16 (d) As soon as possible after the appointment of the initial members of the
17 family care district board, the board shall organize for the transaction of business
18 and elect a chairperson and other necessary officers. Each chairperson shall be
19 elected by the board from time to time for the term of that chairperson's office as a
20 member of the board or for the term of 3 years, whichever is shorter, and shall be
21 eligible for reelection. A majority of the board shall constitute a quorum. The board
22 may act based on the affirmative vote of a majority of a quorum.

23 **(4) POWERS.** Subject to sub. (1) (a) 1. b., a family care district has all the powers
24 necessary or convenient to carry out the purposes and provisions of ss. 46.2805 to

1 46.2895. In addition to all these powers, a family care district may do all of the
2 following:

3 (a) Adopt and alter, at pleasure, an official seal.

4 (b) Adopt bylaws and policies and procedures for the regulation of its affairs
5 and the conduct of its business. The bylaws, policies and procedures shall be
6 consistent with ss. 46.2085 to 46.2895 and, if the family care district contracts with
7 the department under par. (d), with the terms of that contract.

8 (c) Sue and be sued.

9 (d) Negotiate and enter into leases or contracts, including a contract with the
10 department to operate either a resource center or a portion of its functions under s.
11 46.283 or a care management organization under s. 46.284, but not both a resource
12 center or its functions and a care management organization.

13 (e) Provide services related to services available under the family care benefit,
14 to older persons and persons with disabilities, in addition to the services funded
15 under the contract with the department that is specified under par. (d).

16 (f) Acquire, construct, equip, maintain, improve or manage a resource center
17 under s. 46.283 or a care management organization under s. 46.284, but not both.

18 (g) Subject to sub. (8), employ any agent, employe or special adviser that the
19 family care district finds necessary, fix and regulate his or her compensation and
20 provide, either directly or subject to an agreement under s. 66.30 as a participant in
21 a benefit plan of another governmental entity, any employe benefits, including an
22 employe pension plan.

23 (h) Mortgage, pledge or otherwise encumber the family care district's property
24 or funds.

1 (i) Buy, sell or lease property, including real estate, and maintain or dispose of
2 the property.

3 (j) Invest any funds not required for immediate disbursement in any of the
4 following:

5 1. An interest-bearing escrow account with a financial institution, as defined
6 in s. 69.30 (1) (b).

7 2. Time deposits in any financial institution, as defined in s. 69.30 (1) (b), if the
8 time deposits mature in not more than 2 years.

9 3. Bonds or securities issued or guaranteed as to principal and interest by the
10 federal government or by a commission, board or other instrumentality of the federal
11 government.

12 (k) Create a risk reserve or other special reserve as the family care district
13 board desires or as the department requires under the contract with the department
14 that is specified under par. (d).

15 (L) Accept aid, including loans, to accomplish the purpose of the family care
16 district from any local, state or federal governmental agency or accept gifts, loans,
17 grants or bequests from individuals or entities, if the conditions under which the aid,
18 loan, gift, grant or bequest is furnished are not in conflict with this section.

19 (m) Make and execute other instruments necessary or convenient to exercise
20 the powers of the family care district.

21 **(5) LIMITATION ON POWERS.** A family care district may not issue bonds or levy
22 a tax or assessment.

23 **(6) DUTIES.** The family care district board shall do all of the following:

24 (a) Appoint a director, who shall hold office at the pleasure of the board.

1 (b) Subject to sub. (8), develop and implement a personnel structure and other
2 employment policies for employes of the family care district.

3 (c) Assure compliance with the terms of any contract with the department
4 under sub. (4) (d).

5 (d) Establish a fiscal operating year and annually adopt a budget for the family
6 care district.

7 (e) Contract for any legal services required for the family care district.

8 (f) Subject to sub. (8), procure liability insurance covering its officers, employes
9 and agents, insurance against any loss in connection with its property and other
10 assets and other necessary insurance; establish and administer a plan of
11 self-insurance; or, subject to an agreement under s. 66.30, participate in a
12 governmental plan of insurance or self-insurance.

13 **(7) DIRECTOR; DUTIES.** The director appointed under sub. (6) (a) shall do all of
14 the following:

15 (a) Manage the property and business of the family care district and manage
16 the employes of the district, subject to the general control of the family care district
17 board.

18 (b) Comply with the bylaws and direct enforcement of all policies and
19 procedures adopted by the family care district board.

20 (c) Perform duties in addition to those specified in pars. (a) and (b) as are
21 prescribed by the family care district board.

22 **(8) EMPLOYMENT AND EMPLOYEE BENEFITS OF CERTAIN EMPLOYES.** (a) A family care
23 district board shall do all of the following:

24 1. If the family care district offers employment to any individual who was
25 previously employed by the county, who while employed by the county performed

1 duties relating to the same or a substantially similar function for which the
2 individual is offered employment by the district and whose wages, hours and
3 conditions of employment were established in a collective bargaining agreement
4 with the county under subch. IV of ch. 111 that is in effect on the date that the
5 individual commences employment with the district, with respect to that individual,
6 abide by the terms of the collective bargaining agreement concerning the individual's
7 compensation and benefits until the time of the expiration of that collective
8 bargaining agreement or adoption of a collective bargaining agreement with the
9 district under subch. IV of ch. 111 covering the individual as an employe of the
10 district, whichever occurs first.

11 2. If the family care district offers employment to any individual who was
12 previously employed by the county and who while employed by the county performed
13 duties relating to the same or a substantially similar function for which the
14 individual is offered employment by the district, but whose wages, hours and
15 conditions of employment were not established in a collective bargaining agreement
16 with the county under subch. IV of ch. 111 that is in effect on the date the individual
17 commences employment with the district, with respect to that individual, initially
18 provide that individual the same compensation and benefits that he or she received
19 while employed by the county.

20 3. If the family care district offers employment to any individual who was
21 previously employed by the county and who while employed by the county performed
22 duties relating to the same or a substantially similar function for which the
23 individual is offered employment by the district, with respect to that individual,
24 recognize all years of service with the county for any benefit provided or program

1 operated by the district for which an employe's years of service may affect the
2 provision of the benefit or the operation of the program.

3 4. If the county has not established its own retirement system for county
4 employes, adopt a resolution that the family care district be included within the
5 provisions of the Wisconsin retirement system under s. 40.21 (1). In this resolution,
6 the family care district shall agree to recognize 100% of the prior creditable service
7 of its employes earned by the employes while employed by the district.

8 (b) The county board of supervisors of the area of jurisdiction of the family care
9 district shall do all of the following:

10 1. If the county has established its own retirement system for county employes,
11 provide that family care district employes are eligible to participate in the county
12 retirement system.

13 2. Provide that, subject to the terms of any applicable collective bargaining
14 agreement as provided in par. (a) 1., family care district employes are eligible to
15 receive health care coverage under any county health insurance plan that is offered
16 to county employes.

17 3. Provide that, subject to the terms of any applicable collective bargaining
18 agreement as provided in par. (a) 1., family care district employes are eligible to
19 participate in any deferred compensation or other benefit plan offered by the county
20 to county employes, including disability and long-term care insurance coverage and
21 income continuation insurance coverage.

22 **(9) CONFIDENTIALITY OF RECORDS.** No record, as defined in s. 19.32 (2), of a family
23 care district that contains personally identifiable information, as defined in s. 19.62
24 (5), concerning an individual who receives services from the family care district may

1 be disclosed by the family care district without the individual's informed consent,
2 except as required to comply with s. 16.009 (2) (p) or 49.45 (4).

3 **(10) EXCHANGE OF INFORMATION.** Notwithstanding sub. (9) and ss. 48.78 (2) (a),
4 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.06 (17) (c), 146.82, 252.11 (7), 253.07 (3) (c)
5 and 938.78 (2) (a), a family care district acting under this section may exchange
6 confidential information about a client, as defined in s. 46.287 (1), without the
7 informed consent of the client, under s. 46.21 (2m) (c), 46.215 (1m), 46.22 (1) (dm),
8 46.23 (3) (e), 46.283 (7), 46.284 (7), 51.42 (3) (e) or 51.437 (4r) (b) in the jurisdiction
9 of the family care district, if necessary to enable the family care district to perform
10 its duties or to coordinate the delivery of services to the client.

11 **(11) OBLIGATIONS AND DEBTS NOT THOSE OF COUNTY.** The obligations and debts
12 of the family care district are not the obligations or debts of the county that created
13 the family care district.

14 **(12) ASSISTANCE TO FAMILY CARE DISTRICT.** From moneys in the county treasury
15 that are not appropriated to some other purpose, the county board of supervisors
16 under sub. (1) (a) or the county boards of supervisors under sub. (1) (b) may
17 appropriate moneys to the family care district as a gift or may lend moneys to the
18 family care district.

19 **(13) DISSOLUTION.** Subject to the performance of the contractual obligations of
20 a family care district and if first approved by the secretary of the department, the
21 family care district may be dissolved by the joint action of the family care district
22 board and county board of supervisors under sub. (1) (a) or the county boards of
23 supervisors under sub. (1) (b) that created the family care district. If the family care
24 district is dissolved, the property of the district shall be transferred to the county
25 board of supervisors that created the family care district except as follows:

1 (a) If the family care district was created under sub. (1) (b), the county boards
2 of supervisors shall agree on the apportioning of the family care district's property
3 before the district may be dissolved.

4 (b) If the family care district operates a care management organization under
5 s. 46.284, disposition of any remaining funds in the risk reserve under s. 46.284 (5)
6 (e) shall be made under the terms of the district's contract with the department.

7 **SECTION 1083.** 46.29 (1) (intro.) of the statutes is amended to read:

8 46.29 (1) (intro.) From the appropriation under s. 20.435 (6) ~~(d)~~ (a), the
9 department shall allocate up to \$10,000 in each fiscal year for operation of the council
10 on physical disabilities. The council on physical disabilities shall do all of the
11 following:

12 **SECTION 1084.** 46.40 (1) (a) of the statutes is amended to read:

13 46.40 (1) (a) Within the limits of available federal funds and of the
14 appropriations under s. 20.435 (3) (o) and (7) (b), (kw) and (o), the department shall
15 distribute funds for community social, mental health, developmental disabilities and
16 alcohol and other drug abuse services and for services under ss. 46.51, 46.87, 46.985
17 and 51.421 to county departments under ss. 46.215, 46.22, 46.23, 51.42 and 51.437
18 and to county aging units, as provided in subs. (2), (2m) and (7) to ~~(8)~~ (9).

19 **SECTION 1086.** 46.40 (2) of the statutes is amended to read:

20 46.40 (2) BASIC COUNTY ALLOCATION. ~~For~~ Subject to sub. (9), for social services
21 under s. 46.495 (1) (d) and services under s. 51.423 (2), the department shall
22 distribute not more than ~~\$285,081,000~~ \$284,978,800 for fiscal year ~~1997-98~~
23 1999-2000 and ~~\$284,948,500~~ \$285,511,800 for fiscal year ~~1998-99~~ 2000-01.

24 **SECTION 1087.** 46.40 (2m) (a) of the statutes is amended to read:

1 46.40 **(2m)** (a) *Prevention and treatment of substance abuse.* For prevention
2 and treatment of substance abuse under 42 USC 300x–21 to 300x–35, the
3 department shall distribute not more than \$10,493,900 in fiscal year 1997–98 and
4 not more than \$10,224,100 in fiscal year 1998–99 \$11,318,700 in each fiscal year.

5 **SECTION 1088.** 46.40 (8) of the statutes is amended to read:

6 46.40 **(8)** ALZHEIMER'S FAMILY AND CAREGIVER SUPPORT ALLOCATION. ~~For~~ Subject
7 to sub. (9), for services to persons with Alzheimer's disease and their caregivers
8 under s. 46.87, the department shall distribute not more than \$1,877,000 ~~for each~~
9 ~~fiscal year~~ \$1,993,400 for fiscal year 1999–2000 and \$2,226,300 for fiscal year
10 2000–01.

11 **SECTION 1089.** 46.40 (9) of the statutes is created to read:

12 46.40 **(9)** TRANSFER OR ADJUSTMENT OF COMMUNITY AIDS ALLOCATIONS. (a)
13 *Transfer to family care program and adult protective services allocation.* If a care
14 management organization under s. 46.285 is available in a county, the department
15 may dispose of the amount allocated under sub. (8) to that county and not more than
16 21.3% of the amount allocated under sub. (2) to that county as follows:

17 1. By transferring a portion of those amounts, as determined by the
18 department, to the family care program to fund the services of resource centers under
19 s. 46.283 (5) and the services of care management organizations under s. 46.284 (4).

20 2. By transferring a portion of those amounts, as determined by the
21 department, to the county's adult protective services allocation under par. (b).

22 (b) *Adult protective services allocation.* For adult protective services, the
23 department shall distribute the amounts transferred under par. (a) 2. in each fiscal
24 year.

1 (c) *Adjustment for medical assistance buy-in program.* If a former recipient of
2 services funded under the allocation under sub. (2) is a participant in the medical
3 assistance buy-in program under s. 49.472, the department may decrease that
4 allocation by the amount that the department estimates it will incur in providing
5 services to that participant under s. 49.472.

6 **SECTION 1091d.** 46.45 (2) (a) of the statutes is amended to read:

7 46.45 (2) (a) If on December 31 of any year there remains unspent or
8 unencumbered in the allocation under s. 46.40 (2) an amount that exceeds the
9 amount received under 42 USC 670 to 679a and allocated under s. 46.40 (2) in that
10 year, the department shall carry forward the excess moneys and distribute not less
11 than 50% of the excess moneys to counties having a population of less than 500,000
12 that are making a good faith effort, as determined by the department, to comply with
13 s. 46.22 (1) (c) 8. f. for services and projects to assist children and families,
14 notwithstanding the percentage limit specified in sub. (3) (a). A county shall use not
15 less than 50% of the moneys distributed to the county under this subsection for
16 services for children who are at risk of abuse or neglect to prevent the need for child
17 abuse and neglect intervention services. If a county does not comply with s. 46.22
18 (1) (c) 8. f. before July 1, 2005, the department may recover any amounts distributed
19 to that county under this paragraph after June 30, 2001, by billing the county or
20 deducting from that county's allocation under s. 46.40 (2).

21 **SECTION 1091k.** 46.46 (1) of the statutes is amended to read:

22 46.46 (1) The department shall perform activities to augment the amount of
23 moneys received under 42 USC 670 to 679a, 42 USC 1395 to 1395ddd and 42 USC
24 1396 to 1396v. The department shall perform those income augmentation activities
25 itself and may not contract with any person to perform those income augmentation

1 activities. From the appropriation account under s. 20.435 (8) (mb), the department
2 shall support costs that are exclusively related to the operational costs of
3 ~~augmenting the amount of moneys received under 42 USC 670 to 679a, 42 USC 1395~~
4 ~~to 1395ddd and 42 USC 1396 to 1396v~~ performing those income augmentation
5 activities. In addition, the department may expend moneys from the appropriation
6 account under s. 20.435 (8) (mb) as provided in sub. (2).

7 **SECTION 1091m.** 46.46 (2) of the statutes is amended to read:

8 46.46 (2) If the department proposes to use any moneys from the appropriation
9 account under s. 20.435 (8) (mb) for any purpose other than the purpose specified in
10 sub. (1), the department shall submit a plan for the proposed use of those moneys to
11 the secretary of administration by September 1 of the fiscal year after the fiscal year
12 in which those moneys were received. If the secretary of administration approves the
13 plan, he or she shall submit the plan to the joint committee on finance by October 1
14 of the fiscal year after the fiscal year in which those moneys were received. If the
15 cochairpersons of the committee do not notify the secretary of administration within
16 14 working days after the date of submittal of the plan that the committee has
17 scheduled a meeting for the purpose of reviewing the plan, the department may
18 implement the plan. If within 14 working days after the date of the submittal by the
19 secretary of administration the cochairpersons of the committee notify him or her
20 that the committee has scheduled a meeting for the purpose of reviewing the plan,
21 the department may implement the plan only with the approval of the committee.

22 **SECTION 1092d.** 46.47 of the statutes is repealed.

23 **SECTION 1093.** 46.48 (3) of the statutes is renumbered 46.481 (1).

24 **SECTION 1094.** 46.48 (6) of the statutes is amended to read:

1 46.48 (6) CAREER YOUTH DEVELOPMENT CENTER. The department shall distribute
2 \$110,000 \$80,000 in each fiscal year to the career youth development center in the
3 city of Milwaukee. ~~Of these amounts, \$80,000 shall be distributed in each fiscal year~~
4 for the operation of a minority youth substance abuse treatment program and
5 \$30,000 shall be distributed in each fiscal year for drug prevention programs for high
6 school athletes in the Milwaukee public school system.

7 **SECTION 1095.** 46.48 (9) of the statutes is renumbered 46.481 (2).

8 **SECTION 1096.** 46.48 (27) of the statutes is renumbered 46.481 (3) and amended
9 to read:

10 46.481 (3) GRANTS TO RUNAWAY PROGRAMS. The department shall distribute
11 \$100,000 \$50,000 in each fiscal year as grants to programs that provide services for
12 runaways runaway children.

13 **SECTION 1097.** 46.48 (28) of the statutes is renumbered 46.481 (4).

14 **SECTION 1098.** 46.48 (29) of the statutes is amended to read:

15 46.48 (29) ARC COMMUNITY SERVICES, INC. The department shall distribute
16 \$87,500 in fiscal year 1997–98 and \$175,000 in each fiscal year 1998–99 to ARC
17 Community Services, Inc., for a program to provide substance abuse day treatment
18 services for pregnant and postpartum women and their infants.

19 **SECTION 1098m.** 46.48 (30) of the statutes is created to read:

20 46.48 (30) SUBSTANCE ABUSE TREATMENT GRANTS. (a) From the appropriation
21 under s. 20.435 (7) (bc), the department shall distribute grants on a competitive basis
22 to county departments of social services and to private nonprofit organizations, as
23 defined in s. 103.21 (2), for the provision of alcohol and other drug abuse treatment
24 services in counties with a population of 500,000 or more. Grants distributed under
25 this subsection may be used only to provide treatment for alcohol and other drug

1 abuse to individuals who are eligible for federal temporary assistance for needy
2 families under 42 USC 601 et. seq. and who have a family income of not more than
3 200% of the poverty line, as defined in s. 49.001 (5).

4 (b) Notwithstanding par. (a), the department may distribute grants under par.
5 (a) only to the extent that the distribution meets the maintenance-of-effort
6 requirement under the federal temporary assistance for needy families program
7 under 42 USC 601 et. seq.

8 **SECTION 1099.** 46.481 (intro.) of the statutes is created to read:

9 **46.481 Grants for children’s community programs.** (intro.) From the
10 appropriation under s. 20.435 (3) (bc), the department shall distribute the following
11 grants for children’s community programs:

12 **SECTION 1099g.** 46.481 (5) of the statutes is created to read:

13 46.481 (5) **HEALTHY FAMILIES PROGRAM.** The department shall distribute
14 \$100,000 in each fiscal year to Kenosha Area Family and Aging Services, Inc., for the
15 provision of home visiting services for mothers who are under 18 years of age under
16 that organization’s healthy families program.

17 **SECTION 1099m.** 46.481 (6) of the statutes is created to read:

18 46.481 (6) **CHILDREN’S SAFE HOUSE CHILD CARE PROGRAM.** The department shall
19 distribute \$50,000 in each fiscal year to the children’s safe house child care program
20 in Kenosha County for the operation of that program.

21 **SECTION 1100.** 46.485 (2g) (intro.) of the statutes is amended to read:

22 46.485 (2g) (intro.) From the appropriation under s. 20.435 (5) ~~(4)~~ (b), the
23 department may in each fiscal year transfer funds to the appropriation under s.
24 20.435 (7) (kb) for distribution under this section and from the appropriation under
25 s. 20.435 (7) (mb) the department may not distribute more than \$1,330,500 in each

1 fiscal year to applying counties in this state that meet all of the following
2 requirements, as determined by the department:

3 **SECTION 1101.** 46.485 (3r) of the statutes is amended to read:

4 46.485 (3r) Funds that a county does not encumber before 24 months after
5 June 30 of the fiscal year in which the funds were distributed under sub. (2g) lapse
6 to the appropriation under s. 20.435 (5) (4) (b).

7 **SECTION 1103.** 46.495 (1) (d) of the statutes is amended to read:

8 46.495 (1) (d) From the appropriations under s. 20.435 (3) (o) and (7) (b), (kw)
9 and (o), the department shall distribute the funding for social services, including
10 funding for foster care or treatment foster care of a child on whose behalf aid is
11 received under s. 46.261, to county departments under ss. 46.215, 46.22 and 46.23
12 as provided under s. 46.40. County matching funds are required for the distributions
13 under s. 46.40 (2) ~~and~~ (8) and (9) (b). Each county's required match for the
14 distributions under s. 46.40 (2) and (8) for a year equals 9.89% of the total of the
15 county's distributions under s. 46.40 (2) and (8) for that year for which matching
16 funds are required plus the amount the county was required by s. 46.26 (2) (c), 1985
17 stats., to spend for juvenile delinquency-related services from its distribution for
18 1987. Each county's required match for the distribution under s. 46.40 (9) (b) for a
19 year equals 9.89% of that county's amounts described in s. 46.40 (9) (a) (intro.) for
20 that year. Matching funds may be from county tax levies, federal and state revenue
21 sharing funds or private donations to the county that meet the requirements
22 specified in s. 51.423 (5). Private donations may not exceed 25% of the total county
23 match. If the county match is less than the amount required to generate the full
24 amount of state and federal funds distributed for this period, the decrease in the

1 amount of state and federal funds equals the difference between the required and the
2 actual amount of county matching funds.

3 **SECTION 1104g.** 46.513 of the statutes is created to read:

4 **46.513 Services for children and families.** From the appropriation under
5 s. 20.435 (3) (bm), the department shall distribute grants to counties in each fiscal
6 year to fund services for children and families. The department shall determine the
7 amount of a county's grant under this section based on the county's proportion of the
8 state's population as last estimated by the department of administration under s.
9 16.96. The department of health and family services shall distribute the grants
10 under this section in the calendar year after the calendar year in which the amount
11 available for those grants is certified by the department of revenue under s. 77.63 (2).

12 **SECTION 1105.** 46.70 (2) of the statutes is amended to read:

13 46.70 (2) From the appropriations under s. 20.435 (7) (~~dL~~) (kL) and (o), the
14 department may make available to any of the 11 federally recognized tribal
15 governing bodies in this state funds for the purposes stated in sub. (1). Beginning
16 July 1, 1991, and ending September 30, 1991, the department may award to each
17 tribal governing body up to \$6,800. Beginning October 1, 1991, and ending
18 September 30, 1992, the department may award to each tribal governing body up to
19 \$27,200. Beginning October 1, 1992, and ending June 30, 1993, the department
20 may award to each tribal governing body up to \$20,400. Receipt of funds is
21 contingent upon department approval of an application submitted by a tribal
22 governing body. The department may partially approve any application and provide
23 only part of the funds requested. Each application shall contain a plan for
24 expenditure of funds, consistent with the purposes stated in sub. (1).

25 **SECTION 1106.** 46.71 (1) (intro.) of the statutes is amended to read:

1 46.71 (1) (intro.) From the appropriation under s. 20.435 (7) (~~dm~~) (km), the
2 department shall, for the development of new drug abuse prevention, treatment and
3 education programs that are culturally specific with respect to American Indians or
4 to supplement like existing programs, allocate a total of not more than \$500,000 in
5 each fiscal year to all the elected governing bodies of federally recognized American
6 Indian tribes or bands that submit to the department plans, approved by the
7 department, that do all of the following:

8 **SECTION 1107.** 46.71 (2) of the statutes is amended to read:

9 46.71 (2) The amount of funds allocated by the department under sub. (1) may
10 not exceed the amounts appropriated under s. 20.435 (7) (~~dm~~) (km).

11 **SECTION 1108.** 46.715 of the statutes is repealed.

12 **SECTION 1109.** 46.76 (3) of the statutes is repealed.

13 **SECTION 1110.** 46.765 of the statutes is repealed.

14 **SECTION 1111.** 46.81 (2) of the statutes is amended to read:

15 46.81 (2) From the appropriation under s. 20.435 (7) (~~dj~~) (dh), the department
16 shall allocate \$2,298,400 in each fiscal year to aging units to provide benefit
17 specialist services for older individuals. The department shall ensure that each
18 aging unit receives funds and shall take into account the proportion of the state's
19 population of low-income older individuals who reside in a county.

20 **SECTION 1112.** 46.81 (5) of the statutes is amended to read:

21 46.81 (5) From the appropriation under s. 20.435 (7) (~~dj~~) (dh) the department
22 shall allocate \$182,500 in each fiscal year to area agencies on aging. Each area
23 agency on aging shall use the funds for training, supervision and legal back-up
24 services for benefit specialists within its area.

25 **SECTION 1113.** 46.82 (3) (a) 19. of the statutes is created to read:

1 46.82 (3) (a) 19. If an aging unit under sub. (1) (a) 1. or 2. and if authorized
2 under s. 46.283 (1) (a) 1., apply to the department to operate a resource center under
3 s. 46.283 and, if the department contracts with the county under s. 46.283 (2), operate
4 the resource center.

5 **SECTION 1114.** 46.82 (3) (a) 20. of the statutes is created to read:

6 46.82 (3) (a) 20. If an aging unit under sub. (1) (a) 1. or 2. and if authorized
7 under s. 46.284 (1) (a) 1., apply to the department to operate a care management
8 organization under s. 46.284 and, if the department contracts with the county under
9 s. 46.284 (2), operate the care management organization and, if appropriate, place
10 funds in a risk reserve.

11 **SECTION 1115.** 46.856 of the statutes is renumbered 46.856 (2), and 46.856 (2)
12 (intro.), as renumbered, is amended to read:

13 46.856 (2) (intro.) From the appropriation under s. 20.435 (7) (bg), the
14 department shall award a grant to at least one public agency or private nonprofit
15 organization, ~~as defined in s. 108.02 (19)~~, to do all of the following:

16 **SECTION 1116.** 46.856 (1) of the statutes is created to read:

17 46.856 (1) In this section:

18 (a) “Private nonprofit organization” has the meaning given in s. 108.02 (19).

19 (b) “Public agency” means a county, city, village, town or school district or an
20 agency of this state or of a county, city, village, town or school district.

21 **SECTION 1117.** 46.86 (1) of the statutes is amended to read:

22 46.86 (1) From the appropriation under ~~s. 20.435 (7) (cp) and (md)~~, the
23 department may award funds and from the appropriation under s. 20.435 (7) (md)
24 the department may award not more than \$125,500 in each fiscal year as grants to
25 counties and private nonprofit entities for treatment for pregnant women and

1 mothers with alcohol and other drug abuse treatment needs; mothers who have
2 alcohol and other drug abuse treatment needs and dependent children up to the age
3 of 5 years; and the dependent children up to the age of 5 years of those mothers. The
4 grants shall be awarded in accordance with the department's request-for-proposal
5 procedures. The grants shall be used to establish community-based programs,
6 residential family-centered treatment programs or home-based treatment
7 programs. The program under a grant must include alcohol and other drug abuse
8 treatment services, parent education, support services for the children of the women
9 who are enrolled in the program, vocational assistance and housing assistance. Any
10 program funded under this subsection must also provide follow-up aftercare
11 services to each woman and her children for at least 2 years after the date on which
12 a woman has left the program.

13 **SECTION 1118.** 46.86 (5) of the statutes is amended to read:

14 46.86 (5) From the appropriation under s. 20.435 (7) (md), the department may
15 not distribute more than \$35,000 \$235,000 in each fiscal year as a grant to the ARC
16 ~~community services center~~ Community Services, Inc., for women and children in
17 ~~Dane county, to address a projected operation deficit of the center;~~ County, to provide
18 ~~additional funding for staff of the center and~~ transportation and meal expenses for
19 ~~chemically dependent women who receive services from the center; and to provide~~
20 ~~additional funding for staff of the center.~~

21 **SECTION 1119.** 46.86 (6) of the statutes is created to read:

22 46.86 (6) (a) From the appropriation under s. 20.435 (7) (md), the department
23 may award not more than \$1,167,900 in each fiscal year as grants to counties and
24 private entities to provide community-based alcohol and other drug abuse
25 treatment programs that do all of the following:

1 1. Meet special needs of women with problems resulting from alcohol or other
2 drug abuse.

3 2. Emphasize parent education, vocational and housing assistance and
4 coordination with other community programs and with treatment under intensive
5 care.

6 (b) The department shall do all of the following with respect to the grants under
7 par. (a):

8 1. Award the grants in accordance with the department's request-for-proposal
9 procedures.

10 2. Ensure that the grants are distributed in both urban and rural communities.

11 3. Evaluate the programs under the grants by use of client-outcome
12 measurements that the department develops.

13 **SECTION 1120.** 46.93 (2) (intro.) of the statutes is amended to read:

14 46.93 (2) PURPOSE; ALLOCATION. (intro.) From the appropriation under s. 20.434
15 (1) ~~(b)~~ (ky), the board shall award not more than \$439,300 in each of fiscal years
16 ~~1997-98 and 1998-99~~ year for grants to organizations to provide adolescent
17 pregnancy prevention programs or pregnancy services that include health care,
18 education, counseling and vocational training. Types of services and programs that
19 are eligible for grants include all of the following:

20 **SECTION 1120c.** 46.95 (2) (a) of the statutes is amended to read:

21 46.95 (2) (a) The secretary shall make grants from the appropriations under
22 s. 20.435 (3) (cd) ~~and~~, (hh) and (km) to organizations for the provision of any of the
23 services specified in sub. (1) (d). Grants may be made to organizations which have
24 provided those domestic abuse services in the past or to organizations which propose

1 to provide those services in the future. No grant may be made to fund services for
2 child or unborn child abuse or abuse of elderly persons.

3 **SECTION 1120g.** 46.95 (2) (f) (intro.) of the statutes is amended to read:

4 46.95 (2) (f) (intro.) From the appropriations under s. 20.435 (3) (cd) ~~and~~ (hh)
5 and (km), the department shall do all of the following:

6 **SECTION 1120m.** 46.95 (2) (f) 7. of the statutes is created to read:

7 46.95 (2) (f) 7. Award a grant of \$25,000 in each fiscal year to each of 30
8 organizations to enhance support services. Funding may be used for such purposes
9 as case management; children's programming; assisting victims of domestic abuse
10 to find employment; and training in and activities promoting self-sufficiency.

11 **SECTION 1120n.** 46.95 (2) (f) 8. of the statutes is created to read:

12 46.95 (2) (f) 8. Award \$200,000 in grants in each fiscal year to organizations
13 for domestic abuse services for individuals who are members of underserved
14 populations, including racial minority group members and individuals with mental
15 illness or developmental disabilities. A grant to an organization may not exceed
16 \$60,000.

17 **SECTION 1120p.** 46.95 (2) (f) 9. of the statutes is created to read:

18 46.95 (2) (f) 9. Award a grant of \$25,000 in fiscal year 1999–2000 and a grant
19 of \$50,000 in each fiscal year thereafter to the Wisconsin Coalition Against Domestic
20 Violence for the cost of a staff person to provide assistance in obtaining legal services
21 to domestic abuse victims.

22 **SECTION 1120r.** 46.95 (2) (g) of the statutes is created to read:

23 46.95 (2) (g) Grants made and moneys expended under this subsection from the
24 appropriation under s. 20.435 (3) (km) may be used only for the benefit of individuals

1 whose family incomes do not exceed 250% of the poverty line, as defined in s. 49.001
2 (5).

3 **SECTION 1121g.** 46.986 of the statutes is created to read:

4 **46.986 Respite care program. (1) DEFINITIONS.** In this section:

5 (a) “Abuse” means the wilful infliction on a person of physical pain or injury or
6 unreasonable confinement.

7 (b) “Caregiver” means an individual who lives in the home of a person with
8 special needs and provides care or supervision for that person.

9 (c) “County department” means a county department under s. 46.215, 46.22,
10 46.23, 51.42 or 51.437.

11 (d) “Neglect” means an act, omission or course of conduct that, because of the
12 failure to provide adequate food, shelter, clothing, medical care or dental care,
13 creates a significant danger to the physical and mental health of a person.

14 (e) “Provider” means an individual or agency that a caregiver selects, with
15 input to the selection by the person with special needs, if competent, to provide
16 respite care to the person with special needs.

17 (f) “Respite care” means care that is provided to a person with special needs,
18 or a person at risk of abuse or neglect, in order to provide temporary relief to the
19 caregiver of that person or when the caregiver is unable to provide care.

20 (g) “Special need” means a person’s need resulting from an emotional,
21 behavioral, cognitive, physical or personal condition that necessitates receipt of care
22 or supervision in order to meet the person’s basic needs or to prevent harm from
23 occurring to him or her.

24 (h) “Tribe or band” means the governing body of a federally recognized
25 American Indian tribe or band in this state.

1 **(2) PROGRAM.** (a) From the appropriation account under s. 20.435 (7) (br), the
2 department shall contract for the administration of life–span respite care projects
3 with an organization to which all of the following apply:

4 1. The organization is a private, nonprofit organization, as defined in s. 108.02
5 (19), that is capable of operating on a statewide basis and has expertise in respite
6 care issues.

7 2. At least 51% of the members of the organization’s governing board are
8 consumers of respite care or caregivers.

9 3. The membership of the organization’s governing board includes providers
10 and elected officials and represents the diverse geographical areas and cultural
11 groups of the state.

12 (b) The organization with which the department contracts under par. (a) shall
13 do all of the following:

14 1. After consulting with the department, county departments, tribes or bands,
15 providers and caregivers, prescribe criteria for the distribution of grants to conduct
16 life–span respite care projects. The criteria shall include the requirement that grant
17 funds be equally distributed among 5 administrative regions of the state, as
18 prescribed by the department.

19 2. Solicit applications from and, using the criteria under subd. 1., award in the
20 1999–2001 state fiscal biennium up to one grant in each of the 5 administrative
21 regions prescribed by the department to any of the following to conduct a life–span
22 respite care project:

23 a. A county department.

24 b. A tribe or band.

25 c. A community–based private, nonprofit entity.

1 d. A community-based private entity that is operated for profit.

2 3. Require that the grantee contribute matching funds to the operation of the
3 life-span respite care project in the following amounts:

4 a. Ten percent of the amount of the grant awarded by the organization, as direct
5 services, which shall be used by the grantee to fund payments from caregivers to
6 providers.

7 b. Fifteen percent of the amount of the grant awarded by the organization, as
8 in-kind services.

9 4. Oversee grants awarded under subd. 2., and monitor, provide technical
10 assistance to and evaluate the life-span respite care projects.

11 5. Develop best practice guidelines and a training curriculum that may be used
12 by life-span respite care projects that are funded under this section and that may be
13 used, if appropriate, by any other respite care providers in the state.

14 6. Promote the exchange of information and coordination among the state, local
15 governments, life-span respite care projects, entities serving persons with special
16 needs, families of persons with special needs and persons in favor of the promotion
17 of respite care services, to encourage the efficient provision of respite care services.

18 7. Act as a statewide clearinghouse of information about respite care and
19 existing respite care programs and resources and operate a library of materials that
20 may be lent to persons or organizations upon request.

21 8. Conduct analyses of respite care policies and proposals, and identify and
22 promote resolution of respite care policy concerns at legislative, state and local levels.

23 **(3) GRANTS NOT TO SUPPLANT OTHER MONEYS.** Moneys awarded as grants under
24 sub. (2) (b) may not be used to supplant moneys otherwise available and, prior to
25 receipt of the grant, dedicated by the grantee to respite care.

1 **(4) LIFE-SPAN RESPITE CARE PROJECT REQUIREMENTS.** Life–span respite care
2 projects for which a grant is awarded under sub. (2) (b) 2. shall do all of the following:

3 (a) Operate in a culturally competent manner and be sensitive to the unique
4 needs and strengths of a person with special needs and his or her family or caregiver.

5 (b) Identify, coordinate and develop resources for respite care that are built, to
6 the extent possible, on existing community support services.

7 (c) Recruit and screen providers.

8 (d) Identify training resources and organize training programs for providers
9 that address different populations in need of respite care.

10 (e) Facilitate access by caregivers and families of persons with special needs
11 to an array of respite care service options for which the person with special needs is
12 eligible, that are responsive to caregiver and family needs and that are available
13 before families and primary caregivers reach a crisis situation.

14 (f) Assist caregivers and families of persons with special needs to identify and
15 coordinate funds and resources available for respite care for which the person with
16 special needs is eligible, and authorize and provide a variety of funds and resources
17 to make available additional respite care services for persons with special needs,
18 under eligibility criteria established by the project.

19 **(5) ADVISORY COMMITTEES.** Each grantee of moneys to conduct a life–span
20 respite care project under sub. (2) shall create an advisory committee that shall
21 advise the project on how the project may best serve persons with special needs and
22 their caregivers. Consumers of respite care services and caregivers shall comprise
23 at least 51% of the advisory committee membership and shall be representative of
24 the diversity of persons who receive services under the project. Other members shall

1 include providers, representatives of local service agencies and members of the
2 community.

3 **(6)** By June 1, 2004, the department and the organization with which the
4 department contracts under sub. (2) (a) shall together evaluate the life–span respite
5 care projects that are conducted under this section. If, following the evaluation, the
6 department and the organization together determine that it is feasible to integrate
7 the life–span respite care projects with any integrated, organized system of
8 long–term care services that is operated by the department, the department shall,
9 by July 1, 2004, provide to the department of administration statutory language
10 that is proposed for inclusion in the 2005–07 biennial budget bill to effect the
11 integration.

12 **SECTION 1122.** 46.99 of the statutes is created to read:

13 **46.99 Brighter futures initiative. (1) DEFINITIONS.** In this section:

14 (a) “Nonprofit corporation” means a nonstock, nonprofit corporation organized
15 under ch. 181.

16 (b) “Public agency” means a county, city, village, town or school district or an
17 agency of this state or of a county, city, village, town or school district.

18 **(2) AWARDING OF GRANTS.** (a) From the appropriations under s. 20.435 (3) (eg),
19 (km) and (nL), the department, beginning on January 1, 2001, shall distribute
20 \$2,125,200 in each fiscal year to applying nonprofit corporations and public agencies
21 operating in a county having a population of 500,000 or more and \$1,229,300 in each
22 fiscal year to applying county departments under s. 46.22, 46.23, 51.42 or 51.437
23 operating in counties other than a county having a population of 500,000 or more to
24 provide programs to accomplish all of the following:

1 1. Prevent and reduce the incidence of youth violence and other delinquent
2 behavior.

3 2. Prevent and reduce the incidence of youth alcohol and other drug use and
4 abuse.

5 3. Prevent and reduce the incidence of child abuse and neglect.

6 4. Prevent and reduce the incidence of nonmarital pregnancy and increase the
7 use of abstinence as a method of preventing nonmarital pregnancy.

8 5. Increase adolescent self-sufficiency by encouraging high school graduation,
9 vocational preparedness, improved social and other interpersonal skills and
10 responsible decision making.

11 (b) A nonprofit corporation or public agency that is applying for a grant under
12 par. (a) shall provide to the department a proposed service plan for the use of the
13 grant moneys. If the department approves the service plan, the department may
14 award the grant. The department shall award the grants on a competitive basis and
15 for a 3-year period.

16 **(3) OUTCOMES EXPECTED.** (a) The department shall provide a set of benchmark
17 indicators to measure the outcomes that are expected of a program funded under sub.
18 (2) (a). Those benchmark indicators shall measure all of the following among youth
19 who have participated in a program funded under sub. (2) (a):

20 1. The rate of participation in violent or other delinquent behavior.

21 2. The rate of alcohol and other drug use and abuse.

22 3. The rate of nonmarital pregnancy and the rate at which abstinence is used
23 to prevent nonmarital pregnancy.

24 4. The rate of substantiated cases of child abuse and neglect.

1 5. The development of self-sufficiency, as indicated by the rate of high school
2 graduation, the degree of vocational preparedness, any improvements in social and
3 other interpersonal skills and in responsible decision making and any other
4 indicators that the department considers important in indicating the development
5 of adolescent self-sufficiency.

6 6. Any other indicators that the department considers important in indicating
7 the development of positive behaviors among adolescents.

8 (b) The department shall require a grant recipient under sub. (2) (a) to provide
9 an annual report showing the status of its program participants in terms of the
10 benchmark indicators provided under par. (a) and may renew a grant only if the
11 recipient shows improvement on those indicators.

12 **SECTION 1123d.** 46.995 (title) of the statutes is repealed and recreated to read:

13 **46.995 (title) Tribal adolescent services.**

14 **SECTION 1123e.** 46.995 (1) (title) of the statutes is renumbered 46.995 (3) (title)
15 and amended to read:

16 46.995 (3) (title) ~~DEFINITION~~ ADOLESCENT PREGNANCY PREVENTION SERVICES.

17 **SECTION 1123f.** 46.995 (1) (intro.) of the statutes is renumbered 46.995 (3) (a)
18 (intro.) and amended to read:

19 46.995 (3) (a) (intro.) In this ~~section~~ subsection, “high-risk adolescent” means
20 a person who is at least 13 years of age but under the age of 20 and who is at risk of
21 becoming an unmarried parent as an adolescent and of incurring long-term
22 economic dependency on public funds and is characterized by one or more of the
23 following:

24 **SECTION 1123g.** 46.995 (1) (a) of the statutes is renumbered 46.995 (3) (a) 1.

25 **SECTION 1123h.** 46.995 (1) (b) of the statutes is renumbered 46.995 (3) (a) 2.

1 **SECTION 1123i.** 46.995 (1) (c) of the statutes is renumbered 46.995 (3) (a) 3.

2 **SECTION 1123j.** 46.995 (1) (d) of the statutes is renumbered 46.995 (3) (a) 4.

3 **SECTION 1123k.** 46.995 (1) (e) of the statutes is renumbered 46.995 (3) (a) 5.

4 **SECTION 1123L.** 46.995 (1) (f) of the statutes is renumbered 46.995 (3) (a) 6.

5 **SECTION 1123p.** 46.995 (1m) of the statutes is created to read:

6 46.995 **(1m)** TRIBAL ADOLESCENT SERVICES ALLOCATIONS. From the appropriation
7 account under s. 20.435 (3) (km), the department may allocate \$172,500 in each fiscal
8 year and, from the appropriation account under s. 20.435 (3) (eg), the department
9 may allocate \$7,500 in each fiscal year to provide the grants specified in subs. (2), (3)
10 (b) and (4m) (b).

11 **SECTION 1124.** 46.995 (2) (intro.) of the statutes is amended to read:

12 46.995 **(2)** ADOLESCENT SELF-SUFFICIENCY SERVICES. (intro.) From the
13 appropriation account under s. 20.435 (3) ~~(eg)~~ (ky), the department may allocate
14 \$582,100 in each fiscal year to provide a grant annually to a public or private entity
15 or to the elected governing body of a federally recognized American Indian tribe or
16 band to provide services in counties or to a tribe or band for adolescent parents which
17 shall emphasize high school graduation and vocational preparation, training and
18 experience and may be structured so as to strengthen the adolescent parent's
19 capacity to fulfill parental responsibilities by developing social skills and increasing
20 parenting skills. The public or private entity seeking to receive a grant to provide
21 these services shall develop a proposed service plan that is approved by the
22 department. Except with respect to award of a grant to a tribe or band, the
23 department shall rank individual counties and give priority by this ranking for the
24 award of grants under this subsection, based on all of the following factors:

1 **SECTION 1124g.** 46.995 (2) (intro.) of the statutes, as affected by 1999 Wisconsin
2 Act (this act), is renumbered 46.995 (2) and amended to read:

3 46.995 (2) ADOLESCENT SELF-SUFFICIENCY SERVICES. From the ~~appropriation~~
4 ~~account under s. 20.435 (3) (ky), the department may allocate \$582,100 in each fiscal~~
5 ~~year to~~ allocations under sub. (1m), the department may provide a grant annually
6 ~~to a public or private entity or~~ in the amount of \$85,000 to the elected governing body
7 of a federally recognized American Indian tribe or band to provide services ~~in~~
8 ~~counties or to a tribe or band~~ for adolescent parents which shall emphasize high
9 school graduation and vocational preparation, training and experience and may be
10 structured so as to strengthen the adolescent parent’s capacity to fulfill parental
11 responsibilities by developing social skills and increasing parenting skills. The
12 ~~public or private entity~~ tribe or band seeking to receive a grant to provide these
13 services shall develop a proposed service plan that is approved by the department.
14 ~~Except with respect to award of a grant to a tribe or band, the department shall rank~~
15 ~~individual counties and give priority by this ranking for the award of grants under~~
16 ~~this subsection, based on all of the following factors:~~

17 **SECTION 1124h.** 46.995 (2) (a) of the statutes is repealed.

18 **SECTION 1124i.** 46.995 (2) (b) of the statutes is repealed.

19 **SECTION 1124j.** 46.995 (2) (c) of the statutes is repealed.

20 **SECTION 1124k.** 46.995 (2) (d) of the statutes is repealed.

21 **SECTION 1125.** 46.995 (3) of the statutes is amended to read:

22 46.995 (3) ADOLESCENT PREGNANCY PREVENTION SERVICES. From the
23 appropriation account under s. 20.435 (3) ~~(eg)~~ (ky), the department may allocate
24 \$340,000 in each fiscal year to provide a grant annually to a public or private entity
25 or to the elected governing body of a federally recognized American Indian tribe or

1 band to provide to high-risk adolescents pregnancy and parenthood prevention
2 services which shall be structured so as to increase development of decision-making
3 and communications skills, promote graduation from high school and expand career
4 and other options and which may address needs of adolescents with respect to
5 pregnancy prevention. Except with respect to award of a grant to a tribe or band, the
6 department shall rank individual counties and give priority by this ranking for the
7 award of grants under this subsection, based on the factors specified under sub. (2)
8 (a) to (d).

9 **SECTION 1125g.** 46.995 (3) of the statutes, as affected by 1999 Wisconsin Act
10 (this act), is renumbered 46.995 (3) (b) and amended to read:

11 46.995 (3) (b) From the ~~appropriation account under s. 20.435 (3) (ky), the~~
12 ~~department may allocate \$340,000 in each fiscal year to~~ allocations under sub. (1m).
13 the department may provide a grant annually to a public or private entity or in the
14 amount of \$65,000 to the elected governing body of a federally recognized American
15 Indian tribe or band to provide to high-risk adolescents pregnancy and parenthood
16 prevention services which shall be structured so as to increase development of
17 decision-making and communications skills, promote graduation from high school
18 and expand career and other options and which may address needs of adolescents
19 with respect to pregnancy prevention. ~~Except with respect to award of a grant to a~~
20 ~~tribe or band, the department shall rank individual counties and give priority by this~~
21 ~~ranking for the award of grants under this subsection, based on the factors specified~~
22 ~~under sub. (2) (a) to (d).~~

23 **SECTION 1125r.** 46.995 (4) of the statutes is repealed.

24 **SECTION 1126.** 46.996 of the statutes, as affected by 1999 Wisconsin Act (this
25 act), is repealed.

1 **SECTION 1127.** 46.996 (intro.) of the statutes is amended to read:

2 **46.996 Adolescent services.** (intro.) From the appropriation account under
3 s. 20.435 (3) (eg), the department shall ~~allocate funds in~~ distribute \$62,500 and from
4 the appropriation account under s. 20.435 (3) (ky), the department shall distribute
5 \$287,500, for the following amounts:

6 **SECTION 1128d.** 46.997 (title) of the statutes is renumbered 46.995 (4m) (title).

7 **SECTION 1128g.** 46.997 (1) (intro.) of the statutes is renumbered 46.995 (4m)
8 (a) (intro.) and amended to read:

9 46.995 (4m) (a) (intro.) In this section subsection:

10 **SECTION 1128i.** 46.997 (1) (a) of the statutes is renumbered 46.995 (4m) (a) 1.

11 **SECTION 1128k.** 46.997 (1) (b) of the statutes is renumbered 46.995 (4m) (a) 2.

12 **SECTION 1128m.** 46.997 (1) (c) of the statutes is repealed.

13 **SECTION 1128p.** 46.997 (1) (d) of the statutes is repealed.

14 **SECTION 1128r.** 46.997 (1) (e) of the statutes is repealed.

15 **SECTION 1128t.** 46.997 (1) (f) of the statutes is repealed.

16 **SECTION 1129.** 46.997 (2) (intro.) of the statutes is amended to read:

17 46.997 (2) (intro.) From the appropriation account under s. 20.435 (3) (eg), the
18 department shall ~~allocate not more than \$210,000~~ distribute \$52,500 and from the
19 appropriation account under s. 20.435 (3) (ky), the department shall distribute
20 \$157,500 in each fiscal year to make grants to applying organizations for the
21 provision, on a regional or tribal project basis, of information to communities in order
22 to increase community knowledge about problems of adolescents and information to
23 and activities for adolescents, particularly female adolescents, in order to enable the
24 adolescents to develop skills with respect to all of the following:

1 **SECTION 1129g.** 46.997 (2) (intro.) of the statutes, as affected by 1999 Wisconsin
2 Act (this act), is renumbered 46.995 (4m) (b) (intro.) and amended to read:

3 46.995 **(4m)** (b) (intro.) From the ~~appropriation account under s. 20.435 (3) (eg),~~
4 ~~the department shall distribute \$52,500 and from the appropriation account under~~
5 ~~s. 20.435 (3) (ky), the department shall distribute \$157,500 in each fiscal year to~~
6 ~~make grants to applying organizations~~ allocations under sub. (1m), the department
7 may provide a grant annually in the amount of \$30,000 to the elected governing body
8 of a federally recognized American Indian tribe or band for the provision, ~~on a~~
9 ~~regional or tribal project basis,~~ of information to ~~communities~~ members of the tribe
10 or band in order to increase community knowledge about problems of adolescents
11 and information to and activities for adolescents, particularly female adolescents, in
12 order to enable the adolescents to develop skills with respect to all of the following:

13 **SECTION 1129h.** 46.997 (2) (a) of the statutes is renumbered 46.995 (4m) (b) 1.

14 **SECTION 1129i.** 46.997 (2) (b) of the statutes is renumbered 46.995 (4m) (b) 2.

15 **SECTION 1129j.** 46.997 (2) (c) of the statutes is renumbered 46.995 (4m) (b) 3.

16 **SECTION 1129k.** 46.997 (2) (d) of the statutes is renumbered 46.995 (4m) (b) 4.

17 **SECTION 1129m.** 46.997 (3) of the statutes is renumbered 46.995 (4m) (c) and
18 amended to read:

19 46.995 **(4m)** (c) Each ~~funded regional project under sub. (2) shall provide~~
20 ~~services in one of 6 regional areas of the state, and each funded tribal project under~~
21 ~~sub. (2) par. (b) shall provide services in areas of the state as approved by the Indian~~
22 ~~tribe~~ or band and the department. The department shall determine the boundaries
23 of the regional areas prior to soliciting project grant applications.

24 **SECTION 1129p.** 46.997 (4) of the statutes is renumbered 46.995 (4m) (d) and
25 amended to read:

1 46.995 **(4m)** (d) Prior to making grants to applying ~~organizations under sub.~~
2 ~~(2) tribes or bands under par. (b)~~, the department shall consider whether and how the
3 applying ~~organization~~ tribe or band proposes to coordinate its services with other
4 public or private resources, programs or activities in the region and the state.

5 **SECTION 1129r.** 46.997 (5) of the statutes is renumbered 46.995 (4m) (e) and
6 amended to read:

7 46.995 **(4m)** (e) The department shall work closely with the women’s council
8 and the department of public instruction, on a continuing basis, concerning the scope
9 and direction of activities under projects funded by the program under ~~sub. (2) par.~~
10 (b).

11 **SECTION 1130.** 48.02 (6) of the statutes is amended to read:

12 48.02 **(6)** “Foster home” means any facility that is operated by a person
13 required to be licensed by s. 48.62 (1) (a) and that provides care and maintenance for
14 no more than 4 children ~~unless all of the children are siblings or, if necessary to~~
15 enable a sibling group to remain together, for no more than 6 children or, if the
16 department promulgates rules permitting a different number of children, for the
17 number of children permitted under those rules.

18 **SECTION 1130d.** 48.02 (17) of the statutes is amended to read:

19 48.02 **(17)** “Shelter care facility” means a nonsecure place of temporary care
20 and physical custody for children, including a holdover room, licensed by the
21 department under s. 48.66 (1) (a).

22 **SECTION 1130m.** 48.20 (8) of the statutes is amended to read:

23 48.20 **(8)** If a child is held in custody, the intake worker shall notify the child’s
24 parent, guardian and legal custodian of the reasons for holding the child in custody
25 and of the child’s whereabouts unless there is reason to believe that notice would

1 present imminent danger to the child. The parent, guardian and legal custodian
2 shall also be notified of the time and place of the detention hearing required under
3 s. 48.21, the nature and possible consequences of that hearing, the right to counsel
4 under s. 48.23 regardless of ability to pay and the right to present and cross-examine
5 witnesses at the hearing. If the parent, guardian or legal custodian is not
6 immediately available, the intake worker or another person designated by the court
7 shall provide notice as soon as possible. When the child is 12 years of age or older,
8 the child shall receive the same notice about the detention hearing as the parent,
9 guardian or legal custodian. The intake worker shall notify both the child and the
10 child's parent, guardian or legal custodian. When the child is an expectant mother
11 who has been taken into custody under s. 48.19 (1) (cm) or (d) 8., the unborn child,
12 through the unborn child's guardian ad litem, shall receive the same notice about the
13 whereabouts of the child expectant mother, about the reasons for holding the child
14 expectant mother in custody and about the detention hearing as the child expectant
15 mother and her parent, guardian or legal custodian. The intake worker shall notify
16 the child expectant mother, her parent, guardian or legal custodian and the unborn
17 child, by the unborn child's guardian ad litem.

18 **SECTION 1130n.** 48.207 (1) (a) of the statutes is amended to read:

19 48.207 (1) (a) The home of a parent or guardian, except that a child may not
20 be held in the home of a parent or guardian if the parent or guardian has been
21 convicted under s. 940.01 of the first-degree intentional homicide, or under s. 940.05
22 of the 2nd-degree intentional homicide, of a parent of the child, and the conviction
23 has not been reversed, set aside or vacated, unless the person making the custody
24 decision determines by clear and convincing evidence that the placement would be

1 in the best interests of the child. The person making the custody decision shall
2 consider the wishes of the child in making that determination.

3 **SECTION 1130no.** 48.207 (1) (b) of the statutes is amended to read:

4 48.207 (1) (b) The home of a relative, except that a child may not be held in the
5 home of a relative if the relative has been convicted under s. 940.01 of the
6 first-degree intentional homicide, or under s. 940.05 of the 2nd-degree intentional
7 homicide, of a parent of the child, and the conviction has not been reversed, set aside
8 or vacated, unless the person making the custody decision determines by clear and
9 convincing evidence that the placement would be in the best interests of the child.
10 The person making the custody decision shall consider the wishes of the child in
11 making that determination.

12 **SECTION 1130p.** 48.21 (3) (d) of the statutes is amended to read:

13 48.21 (3) (d) Prior to the commencement of the hearing, the parent, guardian
14 or legal custodian shall be informed by the court of the allegations that have been
15 made or may be made, the nature and possible consequences of this hearing as
16 compared to possible future hearings, the right to counsel under s. 48.23 regardless
17 of ability to pay, the right to confront and cross-examine witnesses and the right to
18 present witnesses.

19 **SECTION 1130r.** 48.23 (2) of the statutes is renumbered 48.23 (2) (a) and
20 amended to read:

21 48.23 (2) (a) Whenever a child is alleged to be in need of protection or services
22 under s. 48.13 or is the subject of a proceeding involving a contested adoption or the
23 involuntary termination of parental rights, any parent under 18 years of age who
24 appears before the court shall be represented by counsel; but no such parent may
25 waive counsel. A minor parent petitioning for the voluntary termination of parental

1 rights shall be represented by a guardian ad litem. If a proceeding involves a
2 contested adoption or the involuntary termination of parental rights, any parent 18
3 years old or older who appears before the court shall be represented by counsel; but
4 the parent may waive counsel provided the court is satisfied such waiver is
5 knowingly and voluntarily made.

6 **SECTION 1130t.** 48.23 (2) (b) of the statutes is created to read:

7 48.23 (2) (b) If a petition under s. 48.13 is contested, no child may be placed
8 outside his or her home unless the nonpetitioning parent is represented by counsel
9 at the fact-finding hearing and subsequent proceedings. If the petition is not
10 contested, the child may not be placed outside his or her home unless the
11 nonpetitioning parent is represented by counsel at the hearing at which the
12 placement is made. A parent who is required under this paragraph to be represented
13 by counsel may, however, waive counsel if the court is satisfied that such waiver is
14 knowingly and voluntarily made, and the court may place the child outside the home
15 even though the parent was not represented by counsel.

16 **SECTION 1130v.** 48.23 (3) of the statutes is amended to read:

17 48.23 (3) POWER OF THE COURT TO APPOINT COUNSEL. ~~Except in proceedings under~~
18 ~~s. 48.13, at~~ At any time, upon request or on its own motion, the court may appoint
19 counsel for the child or any party, unless the child or the party has or wishes to retain
20 counsel of his or her own choosing. ~~The court may not appoint counsel for any party~~
21 ~~other than the child in a proceeding under s. 48.13.~~

22 **SECTION 1130x.** 48.23 (4) of the statutes is amended to read:

23 48.23 (4) PROVIDING COUNSEL. In any situation under this section in which a
24 ~~person~~ child has a right to be represented by counsel or is provided counsel at the
25 discretion of the court and counsel is not knowingly and voluntarily waived, the court

1 shall refer the ~~person~~ child to the state public defender and counsel shall be
2 appointed by the state public defender under s. 977.08 without a determination of
3 indigency. If the referral is of a ~~person~~ child who has filed a petition under s. 48.375
4 (7), the state public defender shall appoint counsel within 24 hours after that
5 referral. Any counsel appointed in a petition filed under s. 48.375 (7) shall continue
6 to represent the child in any appeal brought under s. 809.105 unless the child
7 requests substitution of counsel or extenuating circumstances make it impossible for
8 counsel to continue to represent the child. In any situation under sub. (2) or (2m) in
9 which a parent 18 years of age or over or an adult expectant mother is entitled to
10 representation by counsel; counsel is not knowingly and voluntarily waived; and it
11 appears that the parent or adult expectant mother is unable to afford counsel in full,
12 or the parent or adult expectant mother so indicates; the court shall refer the parent
13 or adult expectant mother to the authority for indigency determinations specified
14 under s. 977.07 (1). In any other situation under this section in which a person has
15 a right to be represented by counsel or is provided counsel at the discretion of the
16 court, competent and independent counsel shall be provided and reimbursed in any
17 manner suitable to the court regardless of the person's ability to pay, except that the
18 court may not order a person who files a petition under s. 813.122 or 813.125 to
19 reimburse counsel for the child who is named as the respondent in that petition.

20 **SECTION 1131g.** 48.235 (8) (c) 1. of the statutes is amended to read:

21 48.235 **(8)** (c) 1. In an uncontested termination of parental rights and adoption
22 proceeding under s. 48.833 (1), the court shall order the agency that placed the child
23 for adoption to pay the compensation of the child's guardian ad litem.

24 **SECTION 1131gm.** 48.27 (4) (a) 2. of the statutes is amended to read:

1 48.27 **(4)** (a) 2. Advise the child and any other party, if applicable, of his or her
2 right to legal counsel regardless of ability to pay.

3 **SECTION 1131gt.** 48.32 (2) (a) of the statutes is amended to read:

4 48.32 **(2)** (a) A consent decree shall remain in effect up to ~~6 months~~ one year
5 unless the child, parent, guardian, legal custodian or expectant mother is discharged
6 sooner by the judge or juvenile court commissioner.

7 **SECTION 1131h.** 48.345 (3) (a) of the statutes is amended to read:

8 48.345 **(3)** (a) The home of a parent or other relative of the child, except that
9 the judge may not designate the home of a parent or other relative of the child as the
10 child's placement if the parent or other relative has been convicted under s. 940.01
11 of the first-degree intentional homicide, or under s. 940.05 of the 2nd-degree
12 intentional homicide, of a parent of the child, and the conviction has not been
13 reversed, set aside or vacated, unless the judge determines by clear and convincing
14 evidence that the placement would be in the best interests of the child. The judge
15 shall consider the wishes of the child in making that determination.

16 **SECTION 1131hd.** 48.345 (3) (b) of the statutes is amended to read:

17 48.345 **(3)** (b) ~~A home which need not be~~ The home of a person who is not
18 required to be licensed if placement is for less than 30 days, except that the judge may
19 not designate the home of a person who is not required to be licensed as the child's
20 placement if the person has been convicted under s. 940.01 of the first-degree
21 intentional homicide, or under s. 940.05 of the 2nd-degree intentional homicide, of
22 a parent of the child, and the conviction has not been reversed, set aside or vacated,
23 unless the judge determines by clear and convincing evidence that the placement
24 would be in the best interests of the child. The judge shall consider the wishes of the
25 child in making that determination.

1 **SECTION 1131i.** 48.355 (3) of the statutes is renumbered 48.355 (3) (a) and
2 amended to read:

3 48.355 (3) (a) If Except as provided in par. (b), if, after a hearing on the issue
4 with due notice to the parent or guardian, the judge court finds that it would be in
5 the best interest of the child, the judge court may set reasonable rules of parental
6 visitation.

7 **SECTION 1131id.** 48.355 (3) (b) of the statutes is created to read:

8 48.355 (3) (b) 1. Except as provided in subd. 2., the court may not grant
9 visitation under par. (a) to a parent of a child if the parent has been convicted under
10 s. 940.01 of the first-degree intentional homicide, or under s. 940.05 of the
11 2nd-degree intentional homicide, of the child's other parent, and the conviction has
12 not been reversed, set aside or vacated.

13 1m. Except as provided in subd. 2., if a parent who is granted visitation rights
14 with a child under par. (a) is convicted under s. 940.01 of the first-degree intentional
15 homicide, or under s. 940.05 of the 2nd-degree intentional homicide, of the child's
16 other parent, and the conviction has not been reversed, set aside or vacated, the court
17 shall issue an order prohibiting the parent from having visitation with the child on
18 petition of the child, the guardian or legal custodian of the child, a person or agency
19 bound by the dispositional order or the district attorney or corporation counsel of the
20 county in which the dispositional order was entered, or on the court's own motion,
21 and on notice to the parent.

22 2. Subdivisions 1. and 1m. do not apply if the court determines by clear and
23 convincing evidence that the visitation would be in the best interests of the child.
24 The court shall consider the wishes of the child in making that determination.

25 **SECTION 1131ir.** 48.357 (4d) of the statutes is created to read:

1 48.357 **(4d)** (a) Except as provided in par. (b), the court may not change a child's
2 placement to a placement in the home of a person who has been convicted under s.
3 940.01 of the first-degree intentional homicide, or under s. 940.05 of the 2nd-degree
4 intentional homicide, of a parent of the child, if the conviction has not been reversed,
5 set aside or vacated.

6 (am) Except as provided in par (b), if a parent in whose home a child is placed
7 is convicted under s. 940.01 of the first-degree intentional homicide, or under s.
8 940.05 of the 2nd-degree intentional homicide, of the child's other parent, and the
9 conviction has not been reversed, set aside or vacated, the court shall change the
10 child's placement to a placement out of the home of the parent on petition of the child,
11 the guardian or legal custodian of the child, a person or agency bound by the
12 dispositional order or the district attorney or corporation counsel of the county in
13 which the dispositional order was entered, or on the court's own motion, and on notice
14 to the parent.

15 (b) Paragraphs (a) and (am) do not apply if the court determines by clear and
16 convincing evidence that the placement would be in the best interests of the child.
17 The court shall consider the wishes of the child in making that determination.

18 **SECTION 1131k.** 48.38 (4) (d) of the statutes is amended to read:

19 48.38 **(4)** (d) If the child is living more than 60 miles from his or her home,
20 documentation that placement within 60 miles of the child's home is either
21 unavailable or inappropriate or documentation that placement more than 60 miles
22 from the child's home is in the child's best interests. The placement of a child in a
23 licensed foster home or a licensed treatment foster home more than 60 miles from the
24 child's home is presumed to be in the best interests of the child if documentation is
25 provided ~~which~~ that shows ~~all~~ any of the following:

1 1. That the placement is made pursuant to a voluntary agreement under s.
2 48.63 (1).

3 ~~2. That, that~~ the voluntary agreement provides that the child may be placed
4 more than 60 miles from the child's home.

5 ~~3. That and that~~ the placement is made to facilitate the anticipated adoptive
6 placement of the child under s. 48.833 (1) or 48.837.

7 **SECTION 1131L.** 48.38 (4) (d) 1m. of the statutes is created to read:

8 48.38 **(4)** (d) 1m. That the placement is of a child with special needs, as defined
9 by rule promulgated under s. 48.975 (5) (b), that the placement is made to facilitate
10 the anticipated adoptive placement of the child under s. 48.833 (1) and that the
11 department, county department or child welfare agency making the placement has
12 determined under s. 48.833 (3) that consideration of the location of the proposed
13 adoptive parent's residence is not necessary to ensure the best interests of the child
14 in light of the child's need for care or treatment to meet those special needs.

15 **SECTION 1131m.** 48.38 (4) (dm) of the statutes is created to read:

16 48.38 **(4)** (dm) In the case of a child with special needs, as defined by rule
17 promulgated under s. 48.975 (5) (b), who is placed to facilitate the anticipated
18 adoptive placement of the child under s. 48.833 (1), if the department, county
19 department or child welfare agency making the placement has determined under s.
20 48.833 (3) that consideration of the location of the proposed adoptive parent's
21 residence is necessary to ensure the best interests of the child in light of the child's
22 need for care or treatment to meet those special needs, documentation showing the
23 reasons why that consideration is necessary.

24 **SECTION 1131n.** 48.415 (8) of the statutes is amended to read:

1 48.415 **(8)** ~~INTENTIONAL OR RECKLESS HOMICIDE~~ HOMICIDE OR SOLICITATION TO
2 COMMIT HOMICIDE OF PARENT. ~~Intentional or reckless~~ Homicide or solicitation to
3 commit homicide of a parent, which shall be established by proving that a parent of
4 the child has been a victim of first-degree intentional homicide in violation of s.
5 940.01, first-degree reckless homicide in violation of s. 940.02 or 2nd-degree
6 intentional homicide in violation of s. 940.05 or a crime under federal law or the law
7 of any other state that is comparable to ~~a crime specified in this subsection~~ any of
8 those crimes, or has been the intended victim of a solicitation to commit first-degree
9 intentional homicide in violation of s. 939.30 or a crime under federal law or the law
10 of any other state that is comparable to that crime, and that the person whose
11 parental rights are sought to be terminated has been convicted of that intentional
12 or reckless homicide, solicitation or crime under federal law or the law of any other
13 state as evidenced by a final judgment of conviction.

14 **SECTION 1131p.** 48.42 (1m) (b) of the statutes is amended to read:

15 48.42 **(1m)** (b) The Subject to par. (e), the court may issue the temporary order
16 ex parte or may refuse to issue the temporary order and hold a hearing on whether
17 to issue an injunction. The temporary order is in effect until a hearing is held on the
18 issuance of an injunction. The court shall hold a hearing on the issuance of an
19 injunction on or before the date of the hearing on the petition to terminate parental
20 rights under s. 48.422 (1).

21 **SECTION 1131pd.** 48.42 (1m) (c) of the statutes is amended to read:

22 48.42 **(1m)** (c) Notwithstanding any other order under s. 48.355 (3), the court,
23 subject to par. (e), may grant an injunction prohibiting the respondent from visiting
24 or contacting the child if the court determines that the prohibition would be in the
25 best interests of the child. An injunction under this subsection is effective according

1 to its terms but may not remain in effect beyond the date the court dismisses the
2 petition for termination of parental rights under s. 48.427 (2) or issues an order
3 terminating parental rights under s. 48.427 (3).

4 **SECTION 1131pg.** 48.42 (1m) (e) of the statutes is created to read:

5 48.42 **(1m)** (e) 1. Except as provided in subd. 2., the court shall issue a
6 temporary order and injunction prohibiting a parent of a child from visitation or
7 contact with the child if the parent has been convicted under s. 940.01 of the
8 first-degree intentional homicide, or under s. 940.05 of the 2nd-degree intentional
9 homicide, of the child's other parent, and the conviction has not been reversed, set
10 aside or vacated.

11 2. Subdivision 1. does not apply if the court determines by clear and convincing
12 evidence that the visitation or contact would be in the best interests of the child. The
13 court shall consider the wishes of the child in making that determination.

14 **SECTION 1131pm.** 48.428 (6) of the statutes is renumbered 48.428 (6) (a) and
15 amended to read:

16 48.428 **(6)** (a) ~~The Except as provided in par. (b), the court may order or prohibit~~
17 visitation by a birth parent of a child placed in sustaining care.

18 **SECTION 1131pp.** 48.428 (6) (b) of the statutes is created to read:

19 48.428 **(6)** (b) 1. Except as provided in subd. 2., the court may not grant
20 visitation under par. (a) to a birth parent of a child who has been placed in sustaining
21 care if the birth parent has been convicted under s. 940.01 of the first-degree
22 intentional homicide, or under s. 940.05 of the 2nd-degree intentional homicide, of
23 the child's other birth parent, and the conviction has not been reversed, set aside or
24 vacated.

1 1m. Except as provided in subd. 2., if a birth parent who is granted visitation
2 rights with a child under par. (a) is convicted under s. 940.01 of the first-degree
3 intentional homicide, or under s. 940.05 of the 2nd-degree intentional homicide, of
4 the child's other birth parent, and the conviction has not been reversed, set aside or
5 vacated, the court shall issue an order prohibiting the birth parent from having
6 visitation with the child on petition of the child, the guardian or legal custodian of
7 the child, or the district attorney or corporation counsel of the county in which the
8 dispositional order was entered, or on the court's own motion, and on notice to the
9 birth parent.

10 2. Subdivisions 1. and 1m. do not apply if the court determines by clear and
11 convincing evidence that the visitation would be in the best interests of the child.
12 The court shall consider the wishes of the child in making that determination.

13 **SECTION 1131r.** 48.434 (2) of the statutes is amended to read:

14 48.434 (2) Any birth parent of a child may file with the agency that placed the
15 child for adoption under s. 48.833 (1) or that was appointed the guardian of the child
16 under s. 48.837 (6) (d) a written authorization for the agency to release any available
17 information about the birth parent's identity and location to one or both adoptive
18 parents of the child.

19 **SECTION 1131s.** 48.434 (3) of the statutes is amended to read:

20 48.434 (3) Any adoptive parent of a child may file with the agency that placed
21 the child for adoption under s. 48.833 (1) or that was appointed the guardian of the
22 child under s. 48.837 (6) (d) a written authorization for the agency to release any
23 available information about the adoptive parent's identity and location to one or both
24 birth parents of the child.

25 **SECTION 1132d.** 48.48 (9) of the statutes is amended to read:

1 48.48 (9) To license foster homes or treatment foster homes as provided in s.
2 48.66 (1) (a) for its own use or for the use of licensed child welfare agencies or, if
3 requested to do so, for the use of county departments.

4 **SECTION 1133d.** 48.48 (9m) of the statutes is amended to read:

5 48.48 (9m) To license shelter care facilities as provided in s. 48.66 (1) (a).

6 **SECTION 1134d.** 48.48 (10) of the statutes is amended to read:

7 48.48 (10) To license child welfare agencies and day care centers as provided
8 in s. 48.66 (1) (a).

9 **SECTION 1134h.** 48.48 (17) (a) 10. of the statutes is amended to read:

10 48.48 (17) (a) 10. Administer kinship care and long-term kinship care as
11 provided in s. 48.57 (3m), (3n), (3o) and (3p).

12 **SECTION 1135.** 48.55 (title) of the statutes is amended to read:

13 **48.55 (title) State adoption information exchange and state adoption**
14 **center.**

15 **SECTION 1136.** 48.55 of the statutes is renumbered 48.55 (1) and amended to
16 read:

17 48.55 (1) The department shall establish a state adoption information
18 exchange for the purpose of finding adoptive homes for children with special needs
19 who do not have permanent homes. ~~The department shall adopt rules governing the~~
20 ~~adoption information exchange and, from~~ and a state adoption center for the
21 purposes of increasing public knowledge of adoption and promoting to adolescents
22 and pregnant women the availability of adoption services. From the appropriation
23 under s. 20.435 (3) (dg), the department may provide not more than \$75,000 \$125,000
24 in each fiscal year as grants to individuals and private agencies ~~for~~ to provide
25 adoption information exchange services and to operate the state adoption center.

1 **SECTION 1137.** 48.551 (title) and (1) of the statutes are repealed.

2 **SECTION 1138.** 48.551 (2) (intro.) of the statutes is renumbered 48.55 (2) (intro.)
3 and amended to read:

4 48.55 **(2)** (intro.) The department shall promulgate rules governing the
5 adoption information exchange and rules specifying the functions of the state
6 adoption center, ~~which.~~ The rules specifying the functions of the state adoption
7 center shall include all of the following:

8 **SECTION 1139.** 48.551 (2) (a), (b), (c), (d) and (e) of the statutes are renumbered
9 48.55 (2) (a), (b), (c), (d) and (e).

10 **SECTION 1140.** 48.561 (3) (b) of the statutes is amended to read:

11 48.561 **(3)** (b) The department of administration ~~and a county having a~~
12 ~~population of 500,000 or more shall consult to determine the method by which the~~
13 ~~state will~~ shall collect the amount specified in par. (a). ~~If the department of~~
14 ~~administration and~~ from a county having a population of 500,000 or more reach an
15 agreement as to that method and if that agreement calls for by deducting all or part
16 of that amount from any state payment due that county under s. 46.40, 79.03, 79.04,
17 79.058, 79.06 or 79.08 ~~or for adding a special charge to the amount of taxes~~
18 ~~apportioned to and levied on that county under s. 70.60, the.~~ The department of
19 administration shall notify the department of revenue, by September 15 of each year,
20 of the amount to be deducted from those the state payments due ~~or to be added as~~
21 ~~that special charge.~~ ~~If the department of administration and a county having a~~
22 ~~population of 500,000 or more do not reach an agreement as to that method by~~
23 ~~September 15 of each year, the department of administration shall determine that~~
24 ~~method without the agreement of that county~~ under s. 79.03, 79.04, 79.058, 79.06 or
25 79.08. The department of administration shall credit all amounts collected under

1 this paragraph to the appropriation account under s. 20.435 (3) (kw) and shall notify
2 the county from which those amounts are collected of that collection.

3 **SECTION 1141d.** 48.57 (3m) (am) (intro.) of the statutes is amended to read:

4 48.57 (3m) (am) (intro.) From the ~~appropriations~~ appropriation under s. 20.435
5 (3) (~~ez~~) and (kc), the department shall reimburse counties having populations of less
6 than 500,000 for payments made under this subsection and shall make payments
7 under this subsection in a county having a population of 500,000 or more. A county
8 department and, in a county having a population of 500,000 or more, the department
9 shall make payments in the amount of \$215 per month to a kinship care relative who
10 is providing care and maintenance for a child if all of the following conditions are met:

11 **SECTION 1142g.** 48.57 (3m) (f) of the statutes is amended to read:

12 48.57 (3m) (f) Any person whose application for payments under par. (am) is
13 not acted on promptly or is denied on the grounds that ~~a condition~~ any of the
14 conditions specified in par. (am) 1., ~~2., 5. or~~ to 6. has not been met and any person
15 whose payments under par. (am) are discontinued under par. (d) may petition the
16 department under par. (g) for a review of that action or failure to act. Review is
17 unavailable if the action or failure to act arose more than 45 days before submission
18 of the petition for review.

19 **SECTION 1143d.** 48.57 (3n) (am) (intro.) of the statutes is amended to read:

20 48.57 (3n) (am) (intro.) From the ~~appropriations~~ appropriation under s. 20.435
21 (3) (~~ez~~) and (kc), the department shall reimburse counties having populations of less
22 than 500,000 for payments made under this subsection and shall make payments
23 under this subsection in a county having a population of 500,000 or more. A county
24 department and, in a county having a population of 500,000 or more, the department
25 shall make monthly payments for each child in the amount specified in sub. (3m)

1 (am) (intro.) to a long-term kinship care relative who is providing care and
2 maintenance for that child if all of the following conditions are met:

3 **SECTION 1145g.** 48.57 (3n) (f) of the statutes is amended to read:

4 48.57 (3n) (f) Any person whose application for payments under par. (am) is not
5 acted on promptly or is denied on the grounds that ~~a condition~~ any of the conditions
6 specified in par. (am) 1., ~~2., 5., 5m.~~ or to 5r. has not been met and any person whose
7 payments under par. (am) are discontinued under par. (d) may petition the
8 department under par. (g) for a review of that action or failure to act. Review is
9 unavailable if the action or failure to act arose more than 45 days before submission
10 of the petition for review.

11 **SECTION 1145gm.** 48.57 (3o) of the statutes is created to read:

12 48.57 (3o) (a) In this subsection:

- 13 1. “Kinship care relative” has the meaning given in sub. (3m) (a).
14 2. “Long-term kinship care relative” has the meaning given in sub. (3n) (a).

15 (b) From the appropriation under s. 20.435 (3) (kc), the department shall
16 reimburse counties having populations of less than 500,000 for payments made
17 under this subsection and shall make payments under this subsection in a county
18 having a population of 500,000 or more. A county department and, in a county
19 having a population of 500,000 or more, the department shall make payments in the
20 amount of \$215 per month to a kinship care relative or a long-term kinship care
21 relative who is providing care and maintenance for a person if the person meets all
22 of the following conditions:

- 23 1. The person is 18 years of age or over.
24 2. The person is enrolled in and regularly attending a secondary education
25 classroom program leading to a high school diploma.

1 3. The person has not been absent from that program without an acceptable
2 excuse under ss. 118.15 and 118.16 (4) for part or all of any day on which that program
3 is held during the month preceding the month in which a payment under this
4 paragraph is payable.

5 4. The person received funding under sub. (3m) (am) or (3n) (am) immediately
6 prior to the person's 18th birthday.

7 (c) The county department or department making payments under par. (b)
8 shall monitor the classroom attendance of the person receiving care and
9 maintenance under par. (b) and may require consent to the release of school
10 attendance records, under s. 118.125 (2) (e), as a condition of eligibility for payments
11 under par. (b).

12 (d) Subsection (3m) or (3n), whichever is applicable, and subs. (3p) and (3t)
13 shall continue to apply to a kinship care relative, long-term kinship care relative and
14 person receiving care and maintenance under par. (b) in the same manner as those
15 subsections applied to those persons immediately prior to the 18th birthday of the
16 person receiving that care and maintenance.

17 **SECTION 1145h.** 48.57 (3p) (fm) 1. of the statutes is amended to read:

18 48.57 **(3p)** (fm) 1. The county department or, in a county having a population
19 of 500,000 or more, the department of health and family services may provisionally
20 approve the making of payments under sub. (3m) based on the applicant's statement
21 under sub. (3m) (am) 4m. The county department or department of health and family
22 services may not finally approve the making of payments under sub. (3m) unless the
23 county department or department of health and family services receives information
24 from the department of justice indicating that the conviction record of the applicant
25 under the law of this state is satisfactory according to the criteria specified in par.

1 (g) 1. to 3. ~~or payment is approved under par. (h) 4.~~ The county department or
2 department of health and family services may make payments under sub. (3m)
3 conditioned on the receipt of information from the federal bureau of investigation
4 indicating that the person's conviction record under the law of any other state or
5 under federal law is satisfactory according to the criteria specified in par. (g) 1. to 3.

6 **SECTION 1145j.** 48.57 (3p) (g) (intro.) of the statutes is amended to read:

7 48.57 (3p) (g) (intro.) ~~Except as provided in par. (h), the~~ A county department
8 or, in a county having a population of 500,000 or more, the department of health and
9 family services may not make payments to a person applying for payments under
10 sub. (3m) and a person receiving payments under sub. (3m) may not employ a person
11 in a position in which that person would have regular contact with the child for whom
12 those payments are being made or permit a person to be an adult resident if any of
13 the following applies:

14 **SECTION 1145m.** 48.57 (3p) (h) of the statutes is repealed.

15 **SECTION 1145p.** 48.57 (3t) of the statutes is amended to read:

16 48.57 (3t) Notwithstanding subs. (3m), (3n) and (3p), the department may
17 enter into an agreement with the governing body of a federally recognized American
18 Indian tribe or band to allow that governing body to administer the program under
19 subs. (3m), (3n) and (3p) within the boundaries of that reservation. ~~Any agreement~~
20 ~~under this subsection relating to the administration of the program under sub. (3m)~~
21 ~~shall specify the person with whom a request for review under sub. (3p) (h) 2. may~~
22 ~~be filed and the person who has been designated by the governing body to conduct~~
23 ~~the review under sub. (3p) (h) 3. and make the determination under sub. (3p) (h) 4.~~
24 Any agreement under this subsection relating to the administration of the program

1 under sub. (3n) shall specify who is to make any determination as to whether a
2 conviction record is satisfactory.

3 **SECTION 1145t.** 48.57 (3t) of the statutes is amended to read:

4 48.57 **(3t)** Notwithstanding subs. (3m), (3n), ~~(3o)~~ and (3p), the department may
5 enter into an agreement with the governing body of a federally recognized American
6 Indian tribe or band to allow that governing body to administer the program under
7 subs. (3m), (3n), ~~(3o)~~ and (3p) within the boundaries of that reservation. Any
8 agreement under this subsection relating to the administration of the program under
9 sub. (3m) shall specify the person with whom a request for review under sub. (3p) (h)
10 2. may be filed and the person who has been designated by the governing body to
11 conduct the review under sub. (3p) (h) 3. and make the determination under sub. (3p)
12 (h) 4. Any agreement under this subsection relating to the administration of the
13 program under sub. (3n) shall specify who is to make any determination as to
14 whether a conviction record is satisfactory.

15 **SECTION 1146dm.** 48.60 (2) (d) of the statutes is amended to read:

16 48.60 **(2)** (d) A hospital, maternity hospital, maternity home, or nursing home
17 ~~or tuberculosis sanatorium~~ licensed, approved or supervised by the department;

18 **SECTION 1147.** 48.60 (2) (h) of the statutes is repealed.

19 **SECTION 1148.** 48.62 (1) (a) of the statutes is amended to read:

20 48.62 **(1)** (a) Any person who receives, with or without transfer of legal custody,
21 4 or fewer children or ~~more than 4 children if all of the children are siblings, if~~
22 necessary to enable a sibling group to remain together, 6 or fewer children or, if the
23 department promulgates rules permitting a different number of children, the
24 number of children permitted under those rules, to provide care and maintenance for

1 those children shall obtain a license to operate a foster home from the department,
2 a county department or a licensed child welfare agency as provided in s. 48.75.

3 **SECTION 1148g.** 48.62 (4) of the statutes is amended to read:

4 48.62 (4) Monthly payments in foster care shall be provided according to the
5 age-related rates specified in this subsection. Beginning on January 1, 1998 ~~2000~~,
6 the age-related rates are: ~~\$289~~ \$299 for children aged 4 and under; ~~\$315~~ \$326 for
7 children aged 5 to 11; ~~\$358~~ \$371 for children aged 12 to 14 and ~~\$374~~ \$387 for children
8 aged 15 to 17. Beginning on January 1, 1999 ~~2001~~, the age-related rates are: ~~\$296~~
9 \$302 for children aged 4 and under; ~~\$323~~ \$329 for children aged 5 to 11; ~~\$367~~ \$375
10 for children aged 12 to 14; and ~~\$383~~ \$391 for children aged 15 to 17. In addition to
11 these grants for basic maintenance, the department shall make supplemental
12 payments for special needs, exceptional circumstances, care in a treatment foster
13 home and initial clothing allowances according to rules promulgated by the
14 department.

15 **SECTION 1148m.** 48.63 (3) of the statutes is amended to read:

16 48.63 (3) Subsection (1) does not apply to the placement of a child for adoption.
17 Adoptive placements may be made only as provided under ss. 48.833 (1), 48.835,
18 48.837 and 48.839.

19 **SECTION 1148p.** 48.64 (1m) of the statutes is amended to read:

20 48.64 (1m) FOSTER HOME, TREATMENT FOSTER HOME AND GROUP HOME AGREEMENTS.
21 If an agency places a child in a foster home, treatment foster home or group home
22 under a court order or voluntary agreement under s. 48.63, the agency shall enter
23 into a written agreement with the head of the home. The agreement shall provide
24 that the agency shall have access at all times to the child and the home, and that the
25 child will be released to the agency whenever, in the opinion of the agency placing

1 the child or the department, the best interests of the child require it. If a child has
2 been in a foster home, treatment foster home or group home for 6 months or more,
3 the agency shall give the head of the home written notice of intent to remove the
4 child, stating the reasons for the removal. The child may not be removed before
5 completion of the hearing under sub. (4) (a) or (c), if requested, or 30 days after the
6 receipt of the notice, whichever is later, unless the safety of the child requires it or,
7 in a case in which the reason for removal is to place the child for adoption under s.
8 48.833 (1), unless all of the persons who have the right to request a hearing under
9 sub. (4) (a) or (c) sign written waivers of objection to the proposed removal. If the
10 safety of the child requires earlier removal, s. 48.19 shall apply. If an agency removes
11 a child from an adoptive placement, the head of the home shall have no claim against
12 the placing agency for the expense of care, clothing or medical treatment.

13 **SECTION 1151d.** 48.651 (2m) of the statutes is amended to read:

14 48.651 **(2m)** Each county department shall provide the department with
15 information about each person who is denied certification for a reason specified in
16 s. 48.685 ~~(2)~~ (4m) (a) 1. to 5.

17 **SECTION 1153d.** 48.66 (1) of the statutes is renumbered 48.66 (1) (a) and
18 amended to read:

19 48.66 **(1)** (a) Except as provided ~~under~~ in s. 48.715 (6) and (7), the department
20 shall license and supervise child welfare agencies, as required by s. 48.60, group
21 homes, as required by s. 48.625, shelter care facilities, as required by s. 938.22, and
22 day care centers, as required by s. 48.65. The department may license foster homes
23 or treatment foster homes, as provided by s. 48.62, and may license and supervise
24 county departments in accordance with the procedures specified in this section and
25 in ss. 48.67 to 48.74.

1 **(b)** Except as provided ~~under in~~ s. 48.715 (6), the department of corrections may
2 license a child welfare agency to operate a secured child caring institution, as defined
3 in s. 938.02 (15g), for holding in secure custody juveniles who have been convicted
4 under s. 938.183 or adjudicated delinquent under s. 938.183 or 938.34 (4d), (4h) or
5 (4m) and referred to the child welfare agency by the court or the department of
6 corrections and to provide supervision, care and maintenance for those juveniles.
7 The department of corrections may also license not more than 5 county departments,
8 as defined in s. 938.02 (2g), or not more than 5 consortia of county departments to
9 operate not more than 5 group homes that have been licensed under par. (a) as
10 secured group homes, as defined in s. 938.02 (15p), for holding in secure custody
11 juveniles who have been convicted under s. 938.183 or adjudicated delinquent under
12 s. 938.183 or 938.34 (4m) and referred to the county department by the court and to
13 provide supervision, care and maintenance for those juveniles.

14 **(c)** A license issued under ~~this subsection~~ par. (a) or (b), other than a license to
15 operate a foster home, treatment foster home ~~or~~, secured child caring institution ~~or~~
16 secured group home, is valid until revoked or suspended. A license issued under this
17 subsection to operate a foster home, treatment foster home ~~or~~, secured child caring
18 institution ~~or secured group home~~ may be for any term not to exceed 2 years from the
19 date of issuance. No license issued under ~~this subsection~~ par. (a) or (b) is
20 transferable.

21 **SECTION 1153m.** 48.66 (2) of the statutes is amended to read:

22 **48.66 (2)** The department shall prescribe application forms to be used by all
23 applicants for licenses from it. The application forms prescribed by the department
24 shall require that the social security numbers of all applicants for a license to operate
25 a child welfare agency, group home, shelter care facility or day care center who are

1 individuals, other than an individual who does not have a social security number and
2 who submits a statement made or subscribed under oath or affirmation as required
3 under sub. (2m) (a) 2., be provided and that the federal employer identification
4 numbers of all applicants for a license to operate a child welfare agency, group home,
5 shelter care facility or day care center who are not individuals be provided.

6 **SECTION 1154c.** 48.66 (2m) (a) of the statutes is renumbered 48.66 (2m) (a) 1.
7 and amended to read:

8 48.66 **(2m)** (a) 1. The Except as provided in subd. 2., the department of health
9 and family services shall require each applicant for a license under sub. (1) to operate
10 a child welfare agency, group home, shelter care facility or day care center who is an
11 individual to provide that department with the applicant's social security number,
12 and shall require each applicant for a license under sub. (1) to operate a child welfare
13 agency, group home, shelter care facility or day care center who is not an individual
14 to provide that department with the applicant's federal employer identification
15 number, when initially applying for or applying to continue the license.

16 **SECTION 1154d.** 48.66 (2m) (a) 1. of the statutes, as affected by 1999 Wisconsin
17 Act (this act), is amended to read:

18 48.66 **(2m)** (a) 1. Except as provided in subd. 2., the department of health and
19 family services shall require each applicant for a license under sub. (1) (a) to operate
20 a child welfare agency, group home, shelter care facility or day care center who is an
21 individual to provide that department with the applicant's social security number,
22 and shall require each applicant for a license under sub. (1) (a) to operate a child
23 welfare agency, group home, shelter care facility or day care center who is not an
24 individual to provide that department with the applicant's federal employer
25 identification number, when initially applying for or applying to continue the license.

1 **SECTION 1154g.** 48.66 (2m) (a) 2. of the statutes is created to read:

2 48.66 **(2m)** (a) 2. If an applicant who is an individual does not have a social
3 security number, the applicant shall submit a statement made or subscribed under
4 oath or affirmation to the department of health and family services that the
5 applicant does not have a social security number. The form of the statement shall
6 be prescribed by the department of workforce development. A license issued in
7 reliance upon a false statement submitted under this subdivision is invalid.

8 **SECTION 1155c.** 48.66 (2m) (am) of the statutes is renumbered 48.66 (2m) (am)
9 1. and amended to read:

10 48.66 **(2m)** (am) 1. ~~The Except as provided in subd. 2., the~~ department of
11 corrections shall require each applicant for a license under sub. (1) to operate a
12 secured child caring institution who is an individual to provide that department with
13 the applicant's social security number when initially applying for or applying to
14 renew the license.

15 **SECTION 1155d.** 48.66 (2m) (am) 1. of the statutes, as affected by 1999
16 Wisconsin Act (this act), is amended to read:

17 48.66 **(2m)** (am) 1. Except as provided in subd. 2., the department of corrections
18 shall require each applicant for a license under sub. (1) (b) to operate a secured child
19 caring institution who is an individual to provide that department with the
20 applicant's social security number when initially applying for or applying to renew
21 the license.

22 **SECTION 1155g.** 48.66 (2m) (am) 2. of the statutes is created to read:

23 48.66 **(2m)** (am) 2. If an applicant who is an individual does not have a social
24 security number, the applicant shall submit a statement made or subscribed under
25 oath or affirmation to the department of corrections that the applicant does not have

1 a social security number. The form of the statement shall be prescribed by the
2 department of workforce development. A license issued in reliance upon a false
3 statement submitted under this subdivision is invalid.

4 **SECTION 1156c.** 48.66 (2m) (b) of the statutes is amended to read:

5 48.66 **(2m)** (b) The If an applicant who is an individual fails to provide the
6 applicant's social security number to the department of health and family services
7 or if an applicant who is not an individual fails to provide the applicant's federal
8 employer identification number to that department, that department of health and
9 family services may not issue or continue a license under sub. (1) to operate a child
10 welfare agency, group home, shelter care facility or day care center to or for an the
11 applicant who is an individual unless the applicant has provided the applicant's is
12 an individual who does not have a social security number to that department and
13 may not issue or continue a license under sub. (1) to operate a child welfare agency,
14 group home, shelter care facility or day care center to or for an applicant who is not
15 an individual unless the applicant has provided the applicant's federal employer
16 identification number to that department and the applicant submits a statement
17 made or subscribed under oath or affirmation as required under par. (a) 2.

18 **SECTION 1156d.** 48.66 (2m) (b) of the statutes, as affected by 1999 Wisconsin
19 Act (this act), is amended to read:

20 48.66 **(2m)** (b) If an applicant who is an individual fails to provide the
21 applicant's social security number to the department of health and family services
22 or if an applicant who is not an individual fails to provide the applicant's federal
23 employer identification number to that department, that department may not issue
24 or continue a license under sub. (1) (a) to operate a child welfare agency, group home,
25 shelter care facility or day care center to or for the applicant unless the applicant is

1 an individual who does not have a social security number and the applicant submits
2 a statement made or subscribed under oath or affirmation as required under par. (a)
3 2.

4 **SECTION 1157c.** 48.66 (2m) (bm) of the statutes is amended to read:

5 48.66 **(2m)** (bm) The If an applicant who is an individual fails to provide the
6 applicant's social security number to the department of corrections, that department
7 of corrections may not issue or renew a license under sub. (1) to operate a secured
8 child caring institution to or for ~~an~~ the applicant ~~who is an individual~~ unless the
9 applicant ~~has provided the applicant's~~ does not have a social security number ~~to that~~
10 department and the applicant submits a statement made or subscribed under oath
11 or affirmation as required under par. (am) 2.

12 **SECTION 1157d.** 48.66 (2m) (bm) of the statutes, as affected by 1999 Wisconsin
13 Act (this act), is amended to read:

14 48.66 **(2m)** (bm) If an applicant who is an individual fails to provide the
15 applicant's social security number to the department of corrections, that department
16 may not issue or renew a license under sub. (1) (b) to operate a secured child caring
17 institution to or for the applicant unless the applicant does not have a social security
18 number and the applicant submits a statement made or subscribed under oath or
19 affirmation as required under par. (am) 2.

20 **SECTION 1157m.** 48.66 (2m) (c) of the statutes is amended to read:

21 48.66 **(2m)** (c) The department of health and family services may not disclose
22 any information obtained under par. (a) 1. to any person except to the department
23 of revenue for the sole purpose of requesting certifications under s. 73.0301 or on the
24 request of the department of workforce development under s. 49.22 (2m).

25 **SECTION 1157p.** 48.66 (2m) (cm) of the statutes is amended to read:

1 48.66 **(2m)** (cm) The department of corrections may not disclose any
2 information obtained under par. (am) 1. to any person except on the request of the
3 department of workforce development under s. 49.22 (2m).

4 **SECTION 1158d.** 48.68 (1) of the statutes is amended to read:

5 48.68 **(1)** After receipt of an application for a license, the department shall
6 investigate to determine if the applicant meets the minimum requirements for a
7 license adopted by the department under s. 48.67 and meets the requirements
8 specified in s. 48.685, if applicable. In determining whether to issue or continue a
9 license, the department may consider any action by the applicant, or by an employe
10 of the applicant, that constitutes a substantial failure by the applicant or employe
11 to protect and promote the health, safety and welfare of a child. Upon satisfactory
12 completion of this investigation and payment of the fee required under s. 48.615 (1)
13 (a) or (b), 48.625 (2) (a), 48.65 (3) (a) or 938.22 (7) (b), the department shall issue a
14 license under s. 48.66 (1) (a) or, if applicable, a probationary license under s. 48.69
15 or, if applicable, shall continue a license under s. 48.66 (5). At the time of initial
16 licensure and license renewal, the department shall provide a foster home licensee
17 with written information relating to the age-related monthly foster care rates and
18 supplemental payments specified in s. 48.62 (4), including payment amounts,
19 eligibility requirements for supplemental payments and the procedures for applying
20 for supplemental payments.

21 **SECTION 1159d.** 48.685 (1) (a) of the statutes is renumbered 48.685 (1) (am).

22 **SECTION 1159g.** 48.685 (1) (ag) of the statutes is created to read:

23 48.685 **(1)** (ag) 1. “Caregiver” means any of the following:

24 a. A person who is, or is expected to be, an employe or contractor of an entity,
25 who is or is expected to be under the control of the entity, as defined by the

1 department by rule, and who has, or is expected to have, regular, direct contact with
2 clients of the entity.

3 b. A person who has, or is seeking, a license, certification or contract to operate
4 an entity.

5 2. “Caregiver” does not include a person who is certified as an emergency
6 medical technician under s. 146.50 if the person is employed, or seeking employment,
7 as an emergency medical technician.

8 **SECTION 1159m.** 48.685 (1) (ar) of the statutes is created to read:

9 48.685 (1) (ar) “Contractor” means, with respect to an entity, a person, or that
10 person’s agent, who provides services to the entity under an express or implied
11 contract or subcontract, including a person who has staff privileges at the entity.

12 **SECTION 1159p.** 48.685 (1) (av) of the statutes is created to read:

13 48.685 (1) (av) “Direct contact” means face-to-face physical proximity to a
14 client that affords the opportunity to commit abuse or neglect of a client or to
15 misappropriate the property of a client.

16 **SECTION 1159r.** 48.685 (1) (b) of the statutes is amended to read:

17 48.685 (1) (b) “Entity” means a child welfare agency that is licensed under s.
18 48.60 to provide care and maintenance for children, to place children for adoption or
19 to license foster homes or treatment foster homes; a foster home or treatment foster
20 home that is licensed under s. 48.62; a group home that is licensed under s. 48.625;
21 a shelter care facility that is licensed under s. 938.22; a day care center that is
22 licensed under s. 48.65 or established or contracted for under s. 120.13 (14); ~~or~~ a day
23 care provider that is certified under s. 48.651; or a temporary employment agency
24 that provides caregivers to another entity.

25 **SECTION 1160d.** 48.685 (1) (bg) of the statutes is amended to read:

1 48.685 (1) (bg) “Foster home” includes a placement for adoption under s. 48.833
2 (1) of a child for whom adoption assistance will be provided under s. 48.975 after the
3 adoption is finalized.

4 **SECTION 1160e.** 48.685 (1) (bm) of the statutes is created to read:

5 48.685 (1) (bm) “Nonclient resident” means a person who resides, or is expected
6 to reside, at an entity, who is not a client of the entity and who has, or is expected to
7 have, regular, direct contact with clients of the entity.

8 **SECTION 1160em.** 48.685 (1) (br) of the statutes is created to read:

9 48.685 (1) (br) “Reservation” means land in this state within the boundaries
10 of a reservation of a tribe or within the bureau of Indian affairs service area for the
11 Ho–Chunk Nation.

12 **SECTION 1160f.** 48.685 (1) (c) of the statutes is repealed and recreated to read:

13 48.685 (1) (c) “Serious crime” means a violation of s. 940.01, 940.02, 940.03,
14 940.05, 940.12, 940.19 (2), (3), (4), (5) or (6), 940.22 (2) or (3), 940.225 (1), (2) or (3),
15 940.285 (2), 940.29, 940.295, 948.02 (1) or (2), 948.025, 948.03 (2), 948.05, 948.055,
16 948.06, 948.07, 948.08, 948.11 (2) (a) or (am), 948.12, 948.13, 948.21 (1) or 948.30 or
17 a violation of the law of any other state or United States jurisdiction that would be
18 a violation of s. 940.01, 940.02, 940.03, 940.05, 940.12, 940.19 (2), (3), (4), (5) or (6),
19 940.22 (2) or (3), 940.225 (1), (2) or (3), 940.285 (2), 940.29, 940.295, 948.02 (1) or (2),
20 948.025, 948.03 (2), 948.05, 948.055, 948.06, 948.07, 948.08, 948.11 (2) (a) or (am),
21 948.12, 948.13, 948.21 (1) or 948.30 if committed in this state.

22 **SECTION 1160g.** 48.685 (1) (d) of the statutes is amended to read:

23 48.685 (1) (d) “Treatment foster home” includes a placement for adoption under
24 s. 48.833 (1) of a child for whom adoption assistance will be provided under s. 48.975
25 after the adoption is finalized.

1 **SECTION 1160gm.** 48.685 (1) (e) of the statutes is created to read:

2 48.685 (1) (e) “Tribe” means a federally recognized American Indian tribe or
3 band in this state.

4 **SECTION 1161d.** 48.685 (2) (a) (intro.) of the statutes is renumbered 48.685 (4m)
5 (a) (intro.).

6 **SECTION 1161g.** 48.685 (2) (a) 1. of the statutes is renumbered 48.685 (4m) (a)
7 1.

8 **SECTION 1161h.** 48.685 (2) (a) 2. of the statutes is repealed.

9 **SECTION 1161i.** 48.685 (2) (a) 3. of the statutes is renumbered 48.685 (4m) (a)
10 3.

11 **SECTION 1161j.** 48.685 (2) (a) 4. of the statutes is renumbered 48.685 (4m) (a)
12 4.

13 **SECTION 1161k.** 48.685 (2) (a) 5. of the statutes is renumbered 48.685 (4m) (a)
14 5.

15 **SECTION 1161m.** 48.685 (2) (ad) of the statutes is renumbered 48.685 (4m) (ad)
16 and amended to read:

17 48.685 (4m) (ad) The department, a county department or a child welfare
18 agency may license a foster home or treatment foster home under s. 48.62, a county
19 department may certify a day care provider under s. 48.651 and a school board may
20 contract with a person under s. 120.13 (14), conditioned on the receipt of the
21 information specified in ~~par. sub. (2)~~ (am) indicating that the person is not ineligible
22 to be licensed, certified or contracted with for a reason specified in par. (a) 1. to 5.

23 **SECTION 1163d.** 48.685 (2) (ag) (intro.) of the statutes is renumbered 48.685
24 (4m) (b) (intro.) and amended to read:

1 48.685 (4m) (b) (intro.) Notwithstanding s. 111.335, and except as provided in
2 sub. (5), an entity may not hire or contract with a ~~person who will be under the~~
3 ~~entity's control, as defined by the department by rule, and who is expected to have~~
4 ~~access to its clients,~~ caregiver or permit a nonclient resident to reside at the entity
5 ~~a person who is not a client and who is expected to have access to a client~~, if the entity
6 knows or should have known any of the following:

7 **SECTION 1163g.** 48.685 (2) (ag) 1. of the statutes is renumbered 48.685 (4m) (b)
8 1. and amended to read:

9 48.685 (4m) (b) 1. That the person has been convicted of a serious crime or, if
10 the person is ~~an employe, prospective employe, contractor, prospective contractor,~~
11 ~~nonclient resident or prospective~~ a caregiver or nonclient resident of a day care
12 center that is licensed under s. 48.65 or established or contracted for under s. 120.13
13 (14) or of a day care provider that is certified under s. 48.651, that the person has been
14 convicted of a serious crime or adjudicated delinquent on or after his or her 12th
15 birthday for committing a serious crime.

16 **SECTION 1163h.** 48.685 (2) (ag) 2. of the statutes is repealed.

17 **SECTION 1163i.** 48.685 (2) (ag) 3. of the statutes is renumbered 48.685 (4m) (b)
18 3.

19 **SECTION 1163j.** 48.685 (2) (ag) 4. of the statutes is renumbered 48.685 (4m) (b)
20 4.

21 **SECTION 1163k.** 48.685 (2) (ag) 5. of the statutes is renumbered 48.685 (4m) (b)
22 5.

23 **SECTION 1165d.** 48.685 (2) (am) (intro.) of the statutes is amended to read:

24 48.685 (2) (am) (intro.) ~~Subject to subd. 5. and par. (bd), the~~ The department,
25 a county department, a child welfare agency or a school board shall obtain all of the

1 following with respect to a ~~person specified under par. (a) (intro.) and a person~~
2 ~~specified under par. (ag) (intro.) who is a nonclient resident or prospective caregiver~~
3 specified in sub. (1) (ag) 1. b., a nonclient resident of an entity and shall obtain the
4 ~~information specified in subds. 1. to 5. with respect to a person specified in par. (ag)~~
5 ~~(intro.) who is under 18 years of age, but not under 12 years of age, and who is an~~
6 ~~employe, prospective employe, contractor, prospective contractor, nonclient resident~~
7 ~~or prospective nonclient resident~~ a caregiver of a day care center that is licensed
8 under s. 48.65 or established or contracted for under s. 120.13 (14) or of a day care
9 provider that is certified under s. 48.651:

10 **SECTION 1165g.** 48.685 (2) (am) 5. of the statutes is amended to read:

11 48.685 (2) (am) 5. Information maintained by the department under this
12 section and under ss. 48.651 (2m), 48.75 (1m) and 120.13 (14) regarding any denial
13 to the person of a license, continuation or renewal of a license, certification or a
14 contract to operate an entity for a reason specified in ~~par. sub. (4m)~~ (a) 1. to 5. and
15 regarding any denial to the person of employment at, a contract with or permission
16 to reside at an entity for a reason specified in ~~par. (ag) sub. (4m) (b)~~ 1. to 5. If the
17 information obtained under this subdivision indicates that the person has been
18 denied a license, continuation or renewal of a license, certification, a contract,
19 employment or permission to reside as described in this subdivision, the department,
20 a county department, a child welfare agency or a school board need not obtain the
21 information specified in subds. 1. to 4.

22 **SECTION 1167d.** 48.685 (2) (b) 1. (intro.) of the statutes is amended to read:

23 48.685 (2) (b) 1. (intro.) ~~Subject to subds. 1. e. and 2., and 4. par. (bd), every~~
24 Every entity shall obtain all of the following with respect to a ~~person specified under~~

1 ~~par. (ag) (intro.) who is an employe, prospective employe, contractor or prospective~~
2 ~~contractor~~ caregiver of the entity:

3 **SECTION 1167g.** 48.685 (2) (b) 1. e. of the statutes is amended to read:

4 48.685 (2) (b) 1. e. Information maintained by the department under this
5 section and under ss. 48.651 (2m), 48.75 (1m) and 120.13 (14) regarding any denial
6 to the person of a license, continuation or renewal of a license, certification or a
7 contract to operate an entity for a reason specified in ~~par. sub. (4m)~~ (a) 1. to 5. and
8 regarding any denial to the person of employment at, a contract with or permission
9 to reside at an entity for a reason specified in ~~par. (ag) sub. (4m)~~ (b) 1. to 5. If the
10 information obtained under this subd. 1. e. indicates that the person has been denied
11 a license, continuation or renewal of a license, certification, a contract, employment
12 or permission to reside as described in this subd. 1. e., the entity need not obtain the
13 information specified in subd. 1. a. to d.

14 **SECTION 1168d.** 48.685 (2) (b) 2. of the statutes is repealed.

15 **SECTION 1168g.** 48.685 (2) (b) 4. of the statutes is amended to read:

16 48.685 (2) (b) 4. Subdivision 1. does not apply with respect to a person under
17 18 years of age, but not under 12 years of age, who is ~~an employe, prospective~~
18 ~~employe, contractor, prospective contractor, nonclient resident or prospective a~~
19 caregiver or nonclient resident of a day care center that is licensed under s. 48.65 or
20 established or contracted for under s. 120.13 (14) or of a day care provider that is
21 certified under s. 48.651 and with respect to whom the department, a county
22 department or a school board is required under par. (am) (intro.) to obtain the
23 information specified in par. (am) 1. to 5.

24 **SECTION 1169p.** 48.685 (2) (bb) of the statutes is created to read:

1 48.685 (2) (bb) If information obtained under par. (am) or (b) 1. indicates a
2 charge of a serious crime, but does not completely and clearly indicate the final
3 disposition of the charge, the department, county department, child welfare agency,
4 school board or entity shall make every reasonable effort to contact the clerk of courts
5 to determine the final disposition of the charge. If a background information form
6 under sub. (6) (a) or (am) indicates a charge or a conviction of a serious crime, but
7 information obtained under par. (am) or (b) 1. does not indicate such a charge or
8 conviction, the department, county department, child welfare agency, school board
9 or entity shall make every reasonable effort to contact the clerk of courts to obtain
10 a copy of the criminal complaint and the final disposition of the complaint. If
11 information obtained under par. (am) or (b) 1., a background information form under
12 sub. (6) (a) or (am) or any other information indicates a conviction of a violation of
13 s. 940.19 (1), 940.195, 940.20, 941.30, 942.08, 947.01 or 947.013 obtained not more
14 than 5 years before the date on which that information was obtained, the
15 department, county department, child welfare agency, school board or entity shall
16 make every reasonable effort to contact the clerk of courts to obtain a copy of the
17 criminal complaint and judgment of conviction relating to that violation.

18 **SECTION 1170d.** 48.685 (2) (bd) of the statutes is amended to read:

19 48.685 (2) (bd) Notwithstanding pars. (am) and (b) 1., the department, a county
20 department, a child welfare agency or a school board is not required to obtain the
21 information specified in par. (am) 1. to 5., and an entity is not required to obtain the
22 information specified in par. (b) 1. a. to e., with respect to a person under 18 years
23 of age whose background information form under sub. (6) (am) indicates that the
24 person is not ineligible to be employed, contracted with or permitted to reside at an
25 entity for a reason specified in ~~par. (ag)~~ sub. (4m) (b) 1. to 5. and with respect to whom

1 the department, county department, child welfare agency, school board or entity
2 otherwise has no reason to believe that the person is ineligible to be employed,
3 contracted with or permitted to reside at an entity for any of those reasons. This
4 paragraph does not preclude the department, a county department, a child welfare
5 agency or a school board from obtaining, at its discretion, the information specified
6 in par. (am) 1. to 5. with respect to a person described in this paragraph who is a
7 nonclient resident or a prospective nonclient resident of an entity.

8 **SECTION 1170m.** 48.685 (2) (bg) of the statutes is amended to read:

9 48.685 (2) (bg) If an entity ~~takes an action specified in par. (ag) (intro.) with~~
10 ~~respect to an employe, prospective employe, contractor or prospective contractor~~
11 hires or contracts with a caregiver for whom, within the last 4 years, the information
12 required under par. (b) 1. a. to c. and e. has already been obtained, ~~either by another~~
13 ~~entity or by a temporary employment agency,~~ the entity may obtain the that
14 ~~information required under par. (b) 1. a. to c. and e. from that other entity or~~
15 ~~temporary employment agency,~~ which shall provide the information, if possible, to
16 the requesting entity. If an entity cannot obtain the information required under par.
17 (b) 1. a. to c. and e. from another entity ~~or from a temporary employment agency~~ or
18 if an entity has reasonable grounds to believe that any information obtained from
19 another entity ~~or from a temporary employment agency~~ is no longer accurate, the
20 entity shall obtain that information from the sources specified in par. (b) 1. a. to c.
21 and e.

22 **SECTION 1170n.** 48.685 (2) (bg) of the statutes, as affected by 1999 Wisconsin
23 Act (this act), is amended to read:

24 48.685 (2) (bg) If an entity hires employs or contracts with a caregiver for
25 whom, within the last 4 years, the information required under par. (b) 1. a. to c. and

1 e. has already been obtained by another entity, the entity may obtain that
2 information from that other entity, which shall provide the information, if possible,
3 to the requesting entity. If an entity cannot obtain the information required under
4 par. (b) 1. a. to c. and e. from another entity or if an entity has reasonable grounds
5 to believe that any information obtained from another entity is no longer accurate,
6 the entity shall obtain that information from the sources specified in par. (b) 1. a. to
7 c. and e.

8 **SECTION 1171d.** 48.685 (2) (bm) of the statutes is amended to read:

9 48.685 (2) (bm) If the person who is the subject of the search under par. (am)
10 or (b) 1. is not a resident of this state, or if at any time within the 3 years preceding
11 the date of the search that person has not been a resident of this state, or if the
12 department, county department, child welfare agency, school board or entity
13 determines that the person's employment, licensing or state court records provide a
14 reasonable basis for further investigation, the department, county department, child
15 welfare agency, school board or entity shall make a good faith effort to obtain from
16 any state or other United States jurisdiction in which the person is a resident or was
17 a resident within the 3 years preceding the date of the search information that is
18 equivalent to the information specified in par. (am) 1. or (b) 1. a. The department,
19 county department, child welfare agency, school board or entity may require the
20 person to be fingerprinted on 2 fingerprint cards, each bearing a complete set of the
21 person's fingerprints. The department of justice may provide for the submission of
22 the fingerprint cards to the federal bureau of investigation for the purposes of
23 verifying the identity of the person fingerprinted and obtaining records of his or her
24 criminal arrests and convictions.

1 **SECTION 1171g.** 48.685 (2) (c) of the statutes is renumbered 48.685 (4m) (c) and
2 amended to read:

3 48.685 **(4m)** (c) If the background information form completed by a person
4 under sub. (6) (am) indicates that the person is not ineligible to be employed or
5 contracted with for a reason specified in par. ~~(ag)~~ (b) 1. to 5., an entity may employ
6 or contract with the person for not more than 60 days pending the receipt of the
7 information sought under ~~par. sub. (2)~~ (am) 1. to 5. or (b) 1. If the background
8 information form completed by a person under sub. (6) (am) indicates that the person
9 is not ineligible to be permitted to reside at an entity for a reason specified in par. ~~(ag)~~
10 (b) 1. to 5. and if an entity otherwise has no reason to believe that the person is
11 ineligible to be permitted to reside at an entity for any of those reasons, the entity
12 may permit the person to reside at the entity for not more than 60 days pending
13 receipt of the information sought under ~~par. sub. (2)~~ (am). An entity shall provide
14 supervision for a person who is employed, contracted with or permitted to reside as
15 permitted under this paragraph.

16 **SECTION 1171j.** 48.685 (2) (d) of the statutes is created to read:

17 48.685 **(2)** (d) Every entity shall maintain, or shall contract with another
18 person to maintain, the most recent background information obtained on a caregiver
19 under par. (b). The information shall be made available for inspection by authorized
20 persons, as defined by the department by rule.

21 **SECTION 1172d.** 48.685 (3) (a) of the statutes is amended to read:

22 48.685 **(3)** (a) Every 4 years or at any time within that period that the
23 department, a county department, a child welfare agency or a school board considers
24 appropriate, the department, county department, child welfare agency or school
25 board shall request the information specified in sub. (2) (am) 1. to 5. for all persons

1 who are licensed, certified or contracted to operate an entity and, for all persons
2 ~~specified in par. (ag) (intro.)~~ who are nonclient residents of an entity and shall
3 ~~request the information specified in sub. (2) (am) 1. to 5.~~ for all persons under 18
4 years of age, but not under 12 years of age, who are ~~employees, contractors or~~
5 ~~nonclient residents~~ caregivers of a day care center that is licensed under s. 48.65 or
6 established or contracted for under s. 120.13 (4) or of a day care provider that is
7 certified under s. 48.651.

8 **SECTION 1172g.** 48.685 (3) (b) of the statutes is amended to read:

9 48.685 (3) (b) Every 4 years or at any time within that period that an entity
10 considers appropriate, the entity shall request the information specified in sub. (2)
11 (b) 1. a. to e. for all persons ~~specified in sub. (2) (ag) (intro.)~~ ~~employees or contractors~~
12 who are caregivers of the entity other than persons ~~who are~~ under 18 years of age,
13 but not under 12 years of age and, who are ~~employees, contractors or nonclient~~
14 ~~residents~~ caregivers of a day care center that is licensed under s. 48.65 or established
15 or contracted for under s. 120.13 (14) or of a day care provider that is certified under
16 s. 48.651.

17 **SECTION 1173d.** 48.685 (3m) of the statutes is amended to read:

18 48.685 (3m) Notwithstanding subs. (2) (b) 1. and (3) (b), if the department, a
19 county department, a child welfare agency or a school board has obtained the
20 information required under sub. (2) (am) or (3) (a) with respect to a person specified
21 ~~in sub. (2) (a) (intro.)~~ who is a caregiver specified in sub. (1) (ag) 1. b. and that person
22 is also an employe, contractor or nonclient resident of an entity, the entity is not
23 required to obtain the information specified in sub. (2) (b) 1. or (3) (b) with respect
24 to that person.

25 **SECTION 1173g.** 48.685 (4) of the statutes is amended to read:

1 48.685 (4) An entity that violates sub. (2) ~~or~~ (3) or (4m) (b) may be required to
2 forfeit not more than \$1,000 and may be subject to other sanctions specified by the
3 department by rule.

4 **SECTION 1173j.** 48.685 (4m) (b) (intro.) of the statutes, as affected by 1999
5 Wisconsin Act (this act), is amended to read:

6 48.685 (4m) (b) (intro.) Notwithstanding s. 111.335, and except as provided in
7 sub. (5), an entity may not ~~hire~~ employ or contract with a caregiver or permit a
8 nonclient resident to reside at the entity, if the entity knows or should have known
9 any of the following:

10 **SECTION 1174d.** 48.685 (5) (a) of the statutes is amended to read:

11 48.685 (5) (a) The department may license to operate an entity, a county
12 department may certify under s. 48.651, a county department or a child welfare
13 agency may license under s. 48.62 and a school board may contract with under s.
14 120.13 (14) a person who otherwise may not be licensed, certified or contracted with
15 for a reason specified in sub. (2) ~~(4m)~~ (a) 1. to 5., and an entity may employ, contract
16 with or permit to reside at the entity a person who otherwise may not be employed,
17 contracted with or permitted to reside at the entity for a reason specified in sub. (2)
18 ~~(ag)~~ (4m) (b) 1. to 5., if the person demonstrates to the department, the county
19 department, the child welfare agency or the school board or, in the case of an entity
20 that is located within the boundaries of a reservation, to the person or body
21 designated by the tribe under sub. (5d) (a) 3., by clear and convincing evidence and
22 in accordance with procedures established by the department by rule or by the tribe
23 that he or she has been rehabilitated.

24 **SECTION 1174g.** 48.685 (5) (b) of the statutes is repealed.

25 **SECTION 1175m.** 48.685 (5d) of the statutes is created to read:

1 48.685 (5d) (a) Any tribe that chooses to conduct rehabilitation reviews under
2 sub. (5) shall submit to the department a rehabilitation review plan that includes all
3 of the following:

4 1. The criteria to be used to determine if a person has been rehabilitated.

5 2. The title of the person or body designated by the tribe to whom a request for
6 review must be made.

7 3. The title of the person or body designated by the tribe to determine whether
8 a person has been rehabilitated.

9 3m. The title of the person or body, designated by the tribe, to whom a person
10 may appeal an adverse decision made by the person specified under subd. 3. and
11 whether the tribe provides any further rights to appeal.

12 4. The manner in which the tribe will submit information relating to a
13 rehabilitation review to the department so that the department may include that
14 information in its report to the legislature required under sub. (5g).

15 5. A copy of the form to be used to request a review and a copy of the form on
16 which a written decision is to be made regarding whether a person has demonstrated
17 rehabilitation.

18 (b) If, within 90 days after receiving the plan, the department does not
19 disapprove the plan, the plan shall be considered approved. If, within 90 days after
20 receiving the plan, the department disapproves the plan, the department shall
21 provide notice of that disapproval to the tribe in writing, together with the reasons
22 for the disapproval. The department may not disapprove a plan unless the
23 department finds that the plan is not rationally related to the protection of clients.
24 If the department disapproves the plan, the tribe may, within 30 days after receiving
25 notice of the disapproval, request that the secretary review the department's

1 decision. A final decision under this paragraph is not subject to further review under
2 ch. 227.

3 **SECTION 1176d.** 48.685 (5m) of the statutes is amended to read:

4 48.685 (5m) Notwithstanding s. 111.335, the department may refuse to license
5 a person to operate an entity, a county department or a child welfare agency may
6 refuse to license a foster home or treatment foster home under s. 48.62, and an entity
7 may refuse to ~~employ, hire or contract with a caregiver or permit a nonclient resident~~
8 to reside at the entity ~~a person specified in sub. (2) (ag) (intro.)~~ if the person has been
9 convicted of an offense that ~~the department has not defined as a “serious crime” by~~
10 ~~rule promulgated under sub. (7) (a), or specified in the list established by rule under~~
11 ~~sub. (7) (b) is not a serious crime~~, but that is, in the estimation of the department,
12 county department, child welfare agency, or entity, substantially related to the care
13 of a client. Notwithstanding s. 111.335, the department may refuse to license a
14 person to operate a day care center, a county department may refuse to certify a day
15 care provider under s. 48.651, a school board may refuse to contract with a person
16 under s. 120.13 (14), a day care center that is licensed under s. 48.65 or established
17 or contracted for under s. 120.13 (14) and a day care provider that is certified under
18 s. 48.651 may refuse to ~~employ, hire or contract with a caregiver or permit a nonclient~~
19 resident to reside at the day care center or day care provider ~~a person specified in sub.~~
20 ~~(2) (ag) (intro.)~~ if the person has been convicted of or adjudicated delinquent on or
21 after his or her 12th birthday for an offense that ~~the department has not defined as~~
22 ~~a “serious crime” by rule promulgated under sub. (7) (a), or specified in the list~~
23 ~~established by rule under sub. (7) (b) is not a serious crime~~, but that is, in the
24 estimation of the department, county department, school board, day care center or
25 day care provider, substantially related to the care of a client.

1 **SECTION 1176g.** 48.685 (5m) of the statutes, as affected by 1999 Wisconsin Act
2 (this act), is amended to read:

3 **48.685 (5m)** Notwithstanding s. 111.335, the department may refuse to license
4 a person to operate an entity, a county department or a child welfare agency may
5 refuse to license a foster home or treatment foster home under s. 48.62, and an entity
6 may refuse to hire employ or contract with a caregiver or permit a nonclient resident
7 to reside at the entity if the person has been convicted of an offense that is not a
8 serious crime, but that is, in the estimation of the department, county department,
9 child welfare agency or entity, substantially related to the care of a client.
10 Notwithstanding s. 111.335, the department may refuse to license a person to
11 operate a day care center, a county department may refuse to certify a day care
12 provider under s. 48.651, a school board may refuse to contract with a person under
13 s. 120.13 (14), a day care center that is licensed under s. 48.65 or established or
14 contracted for under s. 120.13 (14) and a day care provider that is certified under s.
15 48.651 may refuse to hire employ or contract with a caregiver or permit a nonclient
16 resident to reside at the day care center or day care provider if the person has been
17 convicted of or adjudicated delinquent on or after his or her 12th birthday for an
18 offense that is not a serious crime, but that is, in the estimation of the department,
19 county department, school board, day care center or day care provider, substantially
20 related to the care of a client.

21 **SECTION 1177r.** 48.685 (6) (am) (intro.) of the statutes is renumbered 48.685
22 (6) (am) and amended to read:

23 **48.685 (6) (am)** Every 4 years an entity shall require all of the following persons
24 its caregivers and nonclient residents to complete a background information form
25 that is provided to the entity by the department:.

1 **SECTION 1178d.** 48.685 (6) (am) 1. of the statutes is repealed.

2 **SECTION 1178g.** 48.685 (6) (am) 2. of the statutes is repealed.

3 **SECTION 1179d.** 48.685 (6) (b) of the statutes is renumbered 48.685 (6) (b) 1.
4 and amended to read:

5 48.685 **(6)** (b) 1. For ~~persons specified under par. (a) caregivers~~ who are licensed
6 by the department, for persons ~~specified in par. (am) 1. who are~~ under 18 years of age,
7 but not under 12 years of age, and who are ~~employes, prospective employes,~~
8 ~~contractors or prospective contractors~~ caregivers of a day care center that is licensed
9 under s. 48.65 or established or contracted for under s. 120.13 (4) or of a day care
10 provider that is certified under s. 48.651, for persons ~~specified in par. (am) 2. who are~~
11 ~~nonclient residents or prospective nonclient residents~~ of an entity that is licensed by
12 the department, and for other persons specified by the department by rule, the entity
13 shall send the background information form to the department.

14 2. For ~~persons specified under par. (a) caregivers~~ who are licensed or certified
15 by a county department, for persons ~~specified in par. (am) 2. who are nonclient~~
16 ~~residents or prospective nonclient residents~~ of an entity that is licensed or certified
17 by a county department and for other persons specified by the department by rule,
18 the entity shall send the background information form to the county department.

19 3. For ~~persons specified under par. (a) caregivers~~ who are licensed by a child
20 welfare agency, for persons ~~specified in par. (am) 2. who are nonclient residents or~~
21 ~~prospective nonclient residents~~ of an entity that is licensed by a child welfare agency
22 and for other persons specified by the department by rule, the entity shall send the
23 background information form to the child welfare agency

24 4. For ~~persons specified under par. (a) caregivers~~ who are contracted with by
25 a school board, for persons ~~specified in par. (am) 2. who are nonclient residents or~~

1 prospective nonclient residents of an entity that is contracted with by a school board
2 and for other persons specified by the department by rule, the entity shall send the
3 background information form to the school board. ~~For all other persons specified~~
4 ~~under par. (am) 1., the entity shall maintain the background information form on file~~
5 ~~for inspection by the department, county department, child welfare agency or school~~
6 ~~board, whichever is applicable.~~

7 **SECTION 1180g.** 48.685 (7) (a) of the statutes is repealed.

8 **SECTION 1180h.** 48.685 (7) (b) of the statutes is repealed.

9 **SECTION 1181.** 48.685 (8) of the statutes is amended to read:

10 48.685 **(8)** The department, a county department, a child welfare agency or a
11 school board may charge a fee for obtaining the information required under sub. (2)
12 (am) or (3) (a) or for providing information to an entity to enable the entity to comply
13 with sub. (2) (b) 1. or (3) (b). The fee may not exceed the reasonable cost of obtaining
14 the information. No fee may be charged to a nurse's assistant, as defined in s. 146.40
15 (1) (d), for obtaining or maintaining information if to do so would be inconsistent with
16 federal law.

17 **SECTION 1182d.** 48.69 of the statutes is amended to read:

18 **48.69 Probationary licenses.** Except as provided under s. 48.715 (6) and (7),
19 if any child welfare agency, shelter care facility, group home or day care center that
20 has not been previously issued a license under s. 48.66 (1) (a) applies for a license,
21 meets the minimum requirements for a license established under s. 48.67 and pays
22 the applicable fee referred to in s. 48.68 (1), the department shall issue a
23 probationary license to that child welfare agency, shelter care facility, group home
24 or day care center. A probationary license is valid for up to 6 months after the date
25 of issuance unless renewed under this section or suspended or revoked under s.

1 48.715. Before a probationary license expires, the department shall inspect the child
2 welfare agency, shelter care facility, group home or day care center holding the
3 probationary license and, except as provided under s. 48.715 (6) and (7), if the child
4 welfare agency, shelter care facility, group home or day care center meets the
5 minimum requirements for a license established under s. 48.67, the department
6 shall issue a license under s. 48.66 (1) (a). A probationary license issued under this
7 section may be renewed for one 6-month period.

8 **SECTION 1183d.** 48.715 (1) of the statutes is amended to read:

9 48.715 (1) In this section, “licensee” means a person who holds a license under
10 s. 48.66 (1) (a) or a probationary license under s. 48.69 to operate a child welfare
11 agency, shelter care facility, group home or day care center.

12 **SECTION 1184d.** 48.715 (2) (a) of the statutes is amended to read:

13 48.715 (2) (a) That a person stop operating a child welfare agency, shelter care
14 facility, group home or day care center if the child welfare agency, shelter care facility,
15 group home or day care center is without a license in violation of s. 48.66 (1) (a) or
16 a probationary license in violation of s. 48.69.

17 **SECTION 1185d.** 48.715 (2) (b) of the statutes is amended to read:

18 48.715 (2) (b) That a person who employs a person who has had a license under
19 s. 48.66 (1) (a) or a probationary license under s. 48.69 revoked within the previous
20 5 years terminate the employment of that person within 30 days after the date of the
21 order. This paragraph includes employment of a person in any capacity, whether as
22 an officer, director, agent or employe.

23 **SECTION 1186d.** 48.715 (4) (intro.) of the statutes is amended to read:

24 48.715 (4) (intro.) If the department provides written notice of revocation and
25 the grounds for revocation as provided in sub. (4m) and an explanation of the process

1 for appealing a revocation under this subsection, the department may revoke a
2 license issued under s. 48.66 (1) (a) or a probationary license issued under s. 48.69
3 for any of the following reasons:

4 **SECTION 1187d.** 48.715 (5) of the statutes is amended to read:

5 48.715 (5) The department may deny a license under s. 48.66 (1) (a) or a
6 probationary license under s. 48.69 to any person who has had a license under s.
7 48.66 (1) (a) or a probationary license under s. 48.69 revoked within the previous 5
8 years.

9 **SECTION 1188d.** 48.715 (6) of the statutes is amended to read:

10 48.715 (6) The department of health and family services shall deny, suspend,
11 restrict, refuse to renew or otherwise withhold a license under s. 48.66 (1) (a) or a
12 probationary license under s. 48.69 to operate a child welfare agency, group home,
13 shelter care facility or day care center, and the department of corrections shall deny,
14 suspend, restrict, refuse to renew or otherwise withhold a license under s. 48.66 (1)
15 (b) to operate a secured child caring institution, for failure of the applicant or licensee
16 to pay court-ordered payments of child or family support, maintenance, birth
17 expenses, medical expenses or other expenses related to the support of a child or
18 former spouse or for failure of the applicant or licensee to comply, after appropriate
19 notice, with a subpoena or warrant issued by the department of workforce
20 development or a county child support agency under s. 59.53 (5) and related to
21 paternity or child support proceedings, as provided in a memorandum of
22 understanding entered into under s. 49.857. Notwithstanding s. 48.72, an action
23 taken under this subsection is subject to review only as provided in the memorandum
24 of understanding entered into under s. 49.857 and not as provided in s. 48.72.

25 **SECTION 1189d.** 48.715 (7) of the statutes is amended to read:

1 48.715 (7) The department shall deny an application for the issuance or
2 continuation of a license under s. 48.66 (1) (a) or a probationary license under s. 48.69
3 to operate a child welfare agency, group home, shelter care facility or day care center,
4 or revoke such a license already issued, if the department of revenue certifies under
5 s. 73.0301 that the applicant or licensee is liable for delinquent taxes. An action
6 taken under this subsection is subject to review only as provided under s. 73.0301 (5)
7 and not as provided in s. 48.72.

8 **SECTION 1189p.** 48.75 (1g) (a) 4. of the statutes is amended to read:

9 48.75 (1g) (a) 4. The county of the public licensing agency issuing the license
10 has a population of 500,000 or more and the placement is for adoption under s. 48.833
11 (1), 48.835 or 48.837.

12 **SECTION 1189r.** 48.75 (1m) of the statutes is amended to read:

13 48.75 (1m) Each child welfare agency and public licensing agency shall provide
14 the subunit of the department that administers s. 48.685 with information about
15 each person who is denied a license for a reason specified in s. 48.685 (2) (4m) (a) 1.
16 to 5.

17 **SECTION 1191.** 48.825 (3) (b) of the statutes is amended to read:

18 48.825 (3) (b) An individual or agency providing adoption information
19 ~~exchange services~~ under s. 48.55.

20 **SECTION 1192.** 48.825 (3) (c) of the statutes is repealed.

21 **SECTION 1192g.** 48.833 of the statutes is renumbered 48.833 (1) and amended
22 to read:

23 48.833 (1) ADOPTIVE PLACEMENT. The department, a county department under
24 s. 48.57 (1) (e) or (hm) or a child welfare agency licensed under s. 48.60 may place a
25 child for adoption in a licensed foster home or a licensed treatment foster home

1 without a court order if the department, county department ~~under s. 48.57 (1) (e) or~~
2 ~~(hm)~~ or the child welfare agency is the guardian of the child or makes the placement
3 at the request of another agency ~~which~~ that is the guardian of the child.

4 **(2) CONSIDERATION OF PLACEMENT WITH RELATIVE.** Before placing a child for
5 adoption under ~~this subsection~~ sub. (1), the department, county department or child
6 welfare agency making the placement shall consider the availability of a placement
7 for adoption with a relative of the child who is identified in the child's permanency
8 plan under s. 48.38 or 938.38 or who is otherwise known by the department, county
9 department or child welfare agency.

10 **(4) WRITTEN AGREEMENT.** When a child is placed under ~~this section~~ sub. (1) in
11 a licensed foster home or a licensed treatment foster home for adoption, the
12 department, county department or child welfare agency making the placement shall
13 enter into a written agreement with the adoptive parent, which shall state the date
14 on which the child is placed in the licensed foster home or licensed treatment foster
15 home for adoption by the adoptive parent.

16 **SECTION 1192j.** 48.833 (3) of the statutes is created to read:

17 48.833 **(3) CHILD WITH SPECIAL NEEDS.** In placing a child with special needs, as
18 defined by rule promulgated under s. 48.975 (5) (b), for adoption under sub. (1), the
19 department, county department or child welfare agency making the placement may
20 not consider the location of a proposed adoptive parent's residence as a factor in
21 making that placement unless the department, county department or child welfare
22 agency determines that consideration of that factor is necessary to ensure the best
23 interests of the child in light of the child's need for care or treatment to meet those
24 special needs. If the department, county department or child welfare agency
25 considers the location of a prospective adoptive parent's residence as a factor in

1 placing a child with special needs, the department, county department or child
2 welfare agency shall document the reasons why that consideration is necessary in
3 the child's permanency plan as provided in s. 48.38 (4) (dm). If the department,
4 county department or child welfare agency does not consider the location of a
5 prospective adoptive parent's residence as a factor in placing a child with special
6 needs and the child is placed more than 60 miles from the child's home, the
7 department, county department or child welfare agency shall document the reasons
8 why that consideration is not necessary in the child's permanency plan as provided
9 in s. 48.38 (4) (d) 1m.

10 **SECTION 1192m.** 48.913 (2) (c) 3. of the statutes is amended to read:

11 48.913 (2) (c) 3. With a petition under s. 48.90, if the parental rights of both
12 parents of the child are terminated in another state and the child is placed for
13 adoption under s. 48.833 (1).

14 **SECTION 1192p.** 48.925 (1) (intro.) of the statutes is amended to read:

15 48.925 (1) (intro.) Upon petition by a relative who has maintained a
16 relationship similar to a parent-child relationship with a child who has been adopted
17 by a stepparent or relative, the court, subject to subs. (1m) and (2). may grant
18 reasonable visitation rights to that person if the petitioner has maintained such a
19 relationship within 2 years prior to the filing of the petition, if the adoptive parent
20 or parents, or, if a birth parent is the spouse of an adoptive parent, the adoptive
21 parent and birth parent, have notice of the hearing and if the court determines all
22 of the following:

23 **SECTION 1192r.** 48.925 (1m) of the statutes is created to read:

24 48.925 (1m) (a) Except as provided in par. (b), the court may not grant
25 visitation rights under sub. (1) to a relative who has maintained a relationship

1 similar to a parent–child relationship with a child if the relative has been convicted
2 under s. 940.01 of the first–degree intentional homicide, or under s. 940.05 of the
3 2nd–degree intentional homicide, of a parent of the child, and the conviction has not
4 been reversed, set aside or vacated.

5 (am) Except as provided in par. (b), if a relative who is granted visitation rights
6 with a child under sub. (1) is convicted under s. 940.01 of the first–degree intentional
7 homicide, or under s. 940.05 of the 2nd–degree intentional homicide, of a parent of
8 the child, and the conviction has not been reversed, set aside or vacated, the court
9 shall issue an order prohibiting the relative from having visitation with the child on
10 petition of the child or the parent, guardian or legal custodian of the child, or on the
11 court’s own motion, and on notice to the relative.

12 (b) Paragraphs (a) and (am) do not apply if the court determines by clear and
13 convincing evidence that the visitation would be in the best interests of the child.
14 The court shall consider the wishes of the child in making that determination.

15 **SECTION 1195m.** 48.981 (7) (b) of the statutes is amended to read:

16 48.981 (7) (b) Notwithstanding par. (a), either parent of a child may authorize
17 the disclosure of a record for use in a child custody proceeding under s. 767.24 or
18 767.325 or in an adoption proceeding under s. 48.833 (1), 48.835, 48.837 or 48.839
19 when the child has been the subject of a report. Any information that would identify
20 a reporter shall be deleted before disclosure of a record under this paragraph.

21 **SECTION 1199d.** 48.982 (2) (d) of the statutes is amended to read:

22 48.982 (2) (d) Solicit and accept contributions, grants, gifts and bequests for the
23 children’s trust fund or for any other purpose for which a contribution, grant, gift or
24 bequest is made and received. Moneys received under this paragraph, other than
25 moneys received under s. 341.14 (6r) (b) 6., may be deposited in credited to the

1 appropriation accounts under s. 20.433 (1) (i), (q) or (r). ~~This paragraph does not~~
2 ~~apply to moneys~~ Interest earned on moneys received under s. 341.14 (6r) (b) 6. may
3 be credited to the appropriation accounts under s. 20.433 (1) (q) or (r).

4 **SECTION 1200d.** 48.982 (2m) (intro.) of the statutes is amended to read:

5 48.982 **(2m)** DONATION USES. (intro.) If money is accepted by the board for the
6 children's trust fund or for any other purpose under sub. (2) (d), ~~except moneys~~
7 ~~received under s. 341.14 (6r) (b) 6. and appropriated under s. 20.433 (1) (q) or (r),~~ the
8 board shall use the money in accordance with the wishes of the donor to do any of the
9 following:

10 **SECTION 1201.** 48.985 (2) of the statutes is amended to read:

11 48.985 **(2)** COMMUNITY SOCIAL AND MENTAL HYGIENE SERVICES. From the
12 appropriation under s. 20.435 (7) (o), the department shall distribute not more than
13 ~~\$3,804,000 in fiscal year 1997–98 and not more than \$3,734,000 in fiscal year~~
14 ~~1998–99~~ \$3,964,400 in each fiscal year of the moneys received under 42 USC 620 to
15 626 to county departments under ss. 46.215, 46.22 and 46.23 for the provision or
16 purchase of child welfare projects and services, for services to children and families,
17 for services to the expectant mothers of unborn children and for family-based child
18 welfare services.

19 **SECTION 1201t.** 49.015 (1m) (b) 5. of the statutes is created to read:

20 49.015 **(1m)** (b) 5. The individual has infectious tuberculosis, as defined in s.
21 252.07 (1g) (a), or suspect tuberculosis, as defined in s. 252.07 (1g) (d).

22 **SECTION 1203.** 49.025 (2) (a) (intro.) of the statutes is amended to read:

23 49.025 **(2)** (a) (intro.) If a county is eligible to receive a relief block grant in a
24 year, the department shall pay to the county, in accordance with s. 49.031, from the

1 appropriation under s. 20.435 ~~(5)~~ (4) (bt), an amount for that year determined as
2 follows:

3 **SECTION 1204.** 49.025 (2) (a) 1. b. of the statutes is amended to read:

4 49.025 **(2)** (a) 1. b. For any year, 45% of the total amount expended by the county
5 in that year as relief for health care services provided to dependent persons,
6 including the amount transferred to the appropriation account under s. 20.435 (4)
7 (h) in that year and the amount estimated to be received from the federal government
8 as a match to the funds expended from the appropriation account under s. 20.435 (4)
9 (h).

10 **SECTION 1205.** 49.027 (2) (a) (intro.) of the statutes is amended to read:

11 49.027 **(2)** (a) (intro.) If a county is eligible to receive a relief block grant in a
12 year, the department shall pay to the county, in accordance with s. 49.031, from the
13 appropriation under s. 20.435 ~~(5)~~ ~~(bu)~~ (4) (bt), an amount for that year determined
14 as follows:

15 **SECTION 1206.** 49.027 (2) (a) 1. d. of the statutes is amended to read:

16 49.027 **(2)** (a) 1. d. The department shall multiply the amount determined
17 under subd. 1. c. by the amount appropriated under s. 20.435 ~~(5)~~ ~~(bu)~~ (4) (bt) for relief
18 block grants for that year.

19 **SECTION 1207.** 49.029 (2) of the statutes, as affected by 1999 Wisconsin Act ...
20 (this act), is amended to read:

21 49.029 **(2)** AMOUNT AND DISTRIBUTION OF RELIEF BLOCK GRANT. From the
22 appropriation under s. 20.435 (4) ~~(bs)~~ (kb), the department shall distribute a relief
23 block grant to each eligible tribal governing body in an amount and in a manner
24 determined in accordance with rules promulgated by the department. The
25 department shall promulgate the rules after consulting with all tribal governing

1 bodies eligible for a relief block grant. In promulgating rules under this section, the
2 department shall consider each tribe's economic circumstances and need for health
3 care services.

4 **SECTION 1207m.** 49.08 of the statutes is amended to read:

5 **49.08 Recovery of relief and other assistance.** If any person is the owner
6 of property at the time of receiving general relief under ch. 49, 1993 stats., relief
7 funded by a relief block grant or other assistance as an inmate of any county or
8 municipal institution in which the state is not chargeable with all or a part of the
9 inmate's maintenance or as a tuberculosis patient provided for in ss. ~~58.06 and~~
10 ~~252.07 to 252.10~~, or at any time thereafter, or if the person becomes self-supporting,
11 the authorities charged with the care of the dependent, or the board in charge of the
12 institution, may sue for the value of the relief or other assistance from the person or
13 the person's estate. Except as otherwise provided in this section, the 10-year statute
14 of limitations may be pleaded in defense in an action to recover relief or other
15 assistance. Where the recipient of relief or other assistance is deceased, a claim may
16 be filed against the decedent's estate and the statute of limitations specified in s.
17 859.02 shall be exclusively applicable. The court may refuse to render judgment or
18 allow the claim in any case where a parent, spouse, surviving spouse or child is
19 dependent on the property for support. The court in rendering judgment shall take
20 into account the current family budget requirement as fixed by the U.S. department
21 of labor for the community or as fixed by the authorities of the community in charge
22 of public assistance. The records kept by the municipality, county or institution are
23 prima facie evidence of the value of the relief or other assistance furnished. ~~This~~
24 ~~section shall not apply to any person who receives care for pulmonary tuberculosis~~
25 ~~as provided in s. 252.08 (4).~~

1 **SECTION 1209.** 49.124 (1g) (a) of the statutes is amended to read:

2 49.124 **(1g)** (a) The individual is a custodial parent of a child who is under the
3 age of 18 and who has an absent parent, or the individual lives with and exercises
4 parental control over a child who is under the age of 18 and who has an absent parent,
5 and the individual does not fully cooperate in good faith with efforts directed at
6 establishing the paternity of the child, if necessary, ~~and obtaining support payments~~
7 establishing or enforcing a support order, if any appropriate, or obtaining other
8 payments or property, if any, to which that individual or the child may have rights.
9 This paragraph does not apply if the individual has good cause for refusing to
10 cooperate, as determined by the department in accordance with federal law and
11 regulations.

12 **SECTION 1209q.** 49.124 (1m) (cm) of the statutes, as affected by 1997 Wisconsin
13 Act 27, is amended to read:

14 49.124 **(1m)** (cm) The amount of food stamp benefits paid to a recipient who is
15 a participant in a Wisconsin works employment position under s. 49.147 (4) ~~(b)~~ or (5)
16 shall be calculated based on the pre-sanction benefit amount received s. 49.148.

17 **SECTION 1211d.** 49.136 (2) (b) of the statutes is amended to read:

18 49.136 **(2)** (b) The department shall attempt to award grants under this section
19 to head start agencies designated under 42 USC 9836, employers that provide or
20 wish to provide child care services for their employes, family day care centers, group
21 day care centers and day care programs for the children of student parents,
22 organizations that provide child care for sick children and child care providers that
23 employ participants or former participants in a Wisconsin works employment
24 position under s. 49.147 (3) to (5).

25 **SECTION 1213.** 49.1375 of the statutes is created to read:

1 **49.1375 Early childhood excellence initiative. (1)** The department shall
2 establish a grant program to develop at least 5 early childhood centers for children
3 under the age of 5 who are eligible to receive temporary assistance to needy families
4 under 42 USC 601 et seq. Centers awarded a grant under this subsection shall
5 provide outreach and training for parents of the children served by the center and
6 training for child care providers. The centers shall emphasize stimulation of the
7 child’s language skills and senses of vision and touch. A person who is awarded a
8 grant under this subsection shall contribute matching funds from local or private
9 sources equal to 25% of the amount awarded under this subsection.

10 **(2)** The department shall establish a grant program under which a child care
11 provider that receives training at a center that is awarded a grant under sub. (1) may
12 apply for a grant to establish an early childhood program that serves children
13 specified under sub. (1). The program developed under a grant received under this
14 subsection shall emphasize stimulation of the children’s language skills and senses
15 of vision and touch. A person who is awarded a grant under this subsection shall
16 contribute matching funds from local or private sources equal to 25% of the amount
17 awarded under this subsection.

18 **SECTION 1213g.** 49.138 (1m) (intro.) of the statutes is amended to read:

19 **49.138 (1m)** (intro.) The department shall implement a program of emergency
20 assistance to needy persons in cases of fire, flood, natural disaster, homelessness or
21 impending homelessness or energy crisis. The department shall establish the
22 maximum amount of aid to be granted, except for cases of energy crisis, per family
23 member based on the funding available under s. 20.445 (3) (dc) and (md). The
24 department need not establish the maximum amount by rule under ch. 227. The
25 department shall publish the maximum amount and annual changes to it in the

1 Wisconsin administrative register. Emergency assistance provided to needy persons
2 under this section in cases of fire, flood, natural disaster or energy crisis may only
3 be provided to a needy person once in a 12-month period. Emergency assistance
4 provided to needy persons under this section in cases of homelessness or impending
5 homelessness may be used only to obtain or retain a permanent living
6 accommodation and, except as provided in sub. (2), may only be provided to a needy
7 person once in a 36-month period. For the purposes of this section, a family is
8 considered to be homeless, or to be facing impending homelessness, if any of the
9 following applies:

10 **SECTION 1213h.** 49.138 (1m) (am) of the statutes is created to read:

11 49.138 (1m) (am) The family is experiencing a financial crisis that makes it
12 very difficult for the family to make a rent payment, mortgage payment or property
13 tax payment and the family has been notified that it will be required to leave its
14 current housing if it does not make that payment immediately.

15 **SECTION 1214.** 49.141 (2) of the statutes is repealed.

16 **SECTION 1215.** 49.141 (2g) (a) of the statutes is renumbered 49.141 (2g).

17 **SECTION 1216.** 49.141 (2g) (b) of the statutes is repealed.

18 **SECTION 1216m.** 49.141 (4) of the statutes is amended to read:

19 49.141 (4) NONENTITLEMENT. ~~Notwithstanding~~ Except as provided in s. 49.145
20 (3m), notwithstanding fulfillment of the eligibility requirements for any component
21 of Wisconsin works, an individual is not entitled to services or benefits under
22 Wisconsin works.

23 **SECTION 1217.** 49.143 (1) (a) of the statutes is amended to read:

24 49.143 (1) (a) Except as provided in par. (am), the department may award a
25 contract, on the basis of a competitive process approved by the secretary of

1 administration, to any person to administer Wisconsin works in a geographical area
2 determined by the department under sub. (6). ~~The department shall award contracts~~
3 ~~under this paragraph before the date that is specified in s. 49.141 (2) (d).~~

4 **SECTION 1218.** 49.143 (1) (am) 1. of the statutes is repealed and recreated to
5 read:

6 49.143 (1) (am) 1. The department shall contract with a Wisconsin works
7 agency to administer Wisconsin works if that agency has met the performance
8 standards established by the department in accordance with sub. (3), during the
9 immediately preceding contract period. The contract shall be for a term of at least
10 2 years. A Wisconsin works agency may elect not to enter into a contract under this
11 subdivision if the Wisconsin works agency informs the department by the date
12 established by the department that the Wisconsin works agency has made that
13 election.

14 **SECTION 1219.** 49.143 (1) (am) 2. of the statutes is amended to read:

15 49.143 (1) (am) 2. A ~~county or tribal governing body~~ Wisconsin works agency
16 that has not met the ~~aid to families with dependent children caseload~~ performance
17 standards established by the department may apply for a contract under the
18 competitive process established under par. (a).

19 **SECTION 1220.** 49.143 (1) (at) of the statutes is repealed.

20 **SECTION 1220m.** 49.143 (2) (a) 7. of the statutes is amended to read:

21 49.143 (2) (a) 7. Coordinate with the ~~governor's council on workforce excellence~~
22 ~~under s. 106.115~~ council on workforce investment established under 29 USC 2821 to
23 ensure compatibility of purpose and no duplication of effort.

24 **SECTION 1221.** 49.143 (2) (cr) of the statutes is amended to read:

1 49.143 (2) (cr) Provide, or contract with another person to provide, credit
2 establishment and credit repair assistance to participants. ~~Prior to providing, or~~
3 ~~contracting with another to provide, the assistance specified under this paragraph,~~
4 ~~the Wisconsin works agency shall submit a proposed plan for the provision of that~~
5 ~~assistance to the department. The secretary shall submit each proposed plan to the~~
6 ~~cochairpersons of the joint committee on finance. If, within 14 days after receiving~~
7 ~~the proposed plans, the cochairpersons do not notify the secretary that the joint~~
8 ~~committee on finance has scheduled a meeting for the purpose of reviewing the~~
9 ~~proposed plans, the department shall direct each Wisconsin works agency that~~
10 ~~submitted proposed plans to implement the plans. If, within 14 days, the co-chairs~~
11 ~~notify the secretary that they have scheduled a meeting for the purpose of reviewing~~
12 ~~the proposed plans, no Wisconsin works agency may implement its plan until the~~
13 ~~joint committee on finance approves the plan. Every January 31, the department~~
14 ~~shall submit to the joint committee on finance a report specifying the total amount~~
15 ~~expended in the previous year for the provision of credit establishment and credit~~
16 ~~repair assistance under this paragraph.~~

17 **SECTION 1221h.** 49.143 (2) (ct) of the statutes is created to read:

18 49.143 (2) (ct) Return to the department an amount equal to the total amount
19 of benefits withheld under s. 49.148 for missed work or education and training
20 activities.

21 **SECTION 1222.** 49.143 (2) (e) of the statutes is amended to read:

22 49.143 (2) (e) To the extent permitted under federal law or waiver, certify
23 eligibility for and issue food coupons to eligible Wisconsin works participants in
24 conformity with 7 USC 2011 to 2029. If the department receives the federal waiver
25 necessary to enforce the contract provision under this paragraph, the department

1 shall submit to the joint committee on finance the terms of the waiver and an
2 implementation plan prior to enforcing the contract provision under this paragraph.

3 **SECTION 1222g.** 49.143 (2) (es) of the statutes is created to read:

4 49.143 (2) (es) Provide to every individual who requests assistance from the
5 Wisconsin works agency a single–page description of all of the benefits and services
6 that may be provided to any individual by the Wisconsin works agency. The
7 department shall develop the description and distribute it to all Wisconsin works
8 agencies. The department shall update the description as frequently as necessary
9 to reflect all benefits and services that may be offered by Wisconsin works agencies.

10 **SECTION 1224c.** 49.143 (3) of the statutes is amended to read:

11 49.143 (3) PERFORMANCE STANDARDS. The In consultation with the statewide
12 advisory group and special work groups established under sub. (3m), the department
13 shall establish performance standards for the administration of Wisconsin works.
14 If a Wisconsin works agency does not meet the standards established under this
15 subsection, the department may withhold or recover any or all payment from the
16 Wisconsin works agency.

17 **SECTION 1224d.** 49.143 (3g) of the statutes is created to read:

18 49.143 (3g) PERFORMANCE BONUSES. (a) The department shall base any
19 performance bonus calculation that it makes for Wisconsin works agencies on all of
20 the following performance criteria:

- 21 1. The placement of applicants for and participants in Wisconsin works
22 employment positions into unsubsidized employment, as defined in s. 49.147 (1) (c).
- 23 2. Whether the placement under subd. 1. is full time or part time.
- 24 3. The job retention rate, as defined by the department, of former applicants
25 for, and former participants in, Wisconsin works employment positions.

1 4. Wages and benefits earned by former applicants for, and former participants
2 in, Wisconsin works employment positions.

3 5. Appropriate implementation of Wisconsin works.

4 6. Customer satisfaction.

5 (b) The department may not base any performance bonus payments on
6 caseload decreases, or reduced spending by the Wisconsin works agency, that are not
7 directly attributable to placement of participants in unsubsidized employment.

8 (c) The department shall develop a system by which the department may track
9 former participants and former applicants for Wisconsin works to facilitate an
10 assessment of how successfully each Wisconsin works agency has met the
11 performance criteria specified in par. (a).

12 **SECTION 1224p.** 49.143 (3m) of the statutes is created to read:

13 49.143 (3m) STATEWIDE ADVISORY GROUP. The department shall establish a
14 statewide advisory group to provide a forum for any person to raise concerns and to
15 receive or provide information about programs and policies regarding Wisconsin
16 works, including the Wisconsin works agency contract process. The department
17 shall develop regional forums and special work groups to address issues of concern
18 raised at the meetings of the statewide advisory group and shall allow any person
19 to participate in the work groups.

20 **SECTION 1224r.** 49.145 (2) (d) of the statutes is repealed and recreated to read:

21 49.145 (2) (d) The individual has residence in this state.

22 **SECTION 1225.** 49.145 (2) (n) 1. a. of the statutes is amended to read:

23 49.145 (2) (n) 1. a. The job opportunities and basic skills program under s.
24 49.193, 1997 stats. Active participation on or after October 1, 1996, in the job

1 opportunities and basic skills program ~~begins to count~~ counts toward the 60-month
2 limit ~~beginning on October 1, 1996.~~

3 **SECTION 1226v.** 49.145 (3) (b) 1. of the statutes is amended to read:

4 49.145 (3) (b) 1. All earned and unearned income of the individual, except any
5 amount received under section 32 of the internal revenue code, as defined in s. 71.01
6 (6), any amount received under s. 71.07 (9e), any payment made by an employer
7 under section 3507 of the internal revenue code, as defined in s. 71.01 (6), and any
8 assistance received under s. 49.148. In determining the earned and unearned
9 income of the individual, the Wisconsin works agency may not include income earned
10 by a dependent child of the individual.

11 **SECTION 1227.** 49.145 (3) (b) 2. of the statutes is repealed.

12 **SECTION 1227m.** 49.145 (3m) of the statutes is created to read:

13 49.145 (3m) PLACEMENT. (a) Within 30 days after an individual applies for a
14 Wisconsin works employment position, the Wisconsin works agency shall place the
15 individual in a Wisconsin works employment position if the individual meets all of
16 the eligibility requirements under this section and if the individual is unable to find
17 unsubsidized employment, as defined in s. 49.147 (1) (c), despite the individual's
18 reasonable effort to search for unsubsidized employment.

19 (b) In the case of an individual who is incapable of performing a job search, the
20 Wisconsin works agency shall place the individual in a Wisconsin works employment
21 position immediately after making a determination that an individual otherwise
22 meets the eligibility requirements under this section.

23 **SECTION 1228.** 49.145 (4) of the statutes is amended to read:

24 49.145 (4) REVIEW OF ELIGIBILITY. A Wisconsin works agency shall periodically
25 review an individual's eligibility. The individual remains eligible under sub. (3) until

1 the Wisconsin works group's assets exceed the asset limits for at least 2 months or
2 until the or income of the Wisconsin works group is expected to exceed the asset or
3 income limits limit under sub. (3) for at least 2 consecutive months.

4 **SECTION 1229.** 49.147 (1m) of the statutes is created to read:

5 49.147 **(1m)** EDUCATIONAL NEEDS ASSESSMENT. Upon determining that the
6 appropriate placement for an individual is in unsubsidized employment or a trial job,
7 the Wisconsin works agency shall conduct an educational needs assessment of the
8 individual. If the Wisconsin works agency determines that the individual needs
9 basic education, including a course of study meeting the standards established under
10 s. 115.29 (4) for the granting of a declaration of equivalency of high school graduation,
11 and if the individual wishes to pursue basic education, the Wisconsin works agency
12 shall include basic education in an employability plan developed for the individual.
13 The Wisconsin works agency shall pay for the basic education services identified in
14 the employability plan.

15 **SECTION 1229q.** 49.147 (4) of the statutes, as affected by 1997 Wisconsin Act
16 27, is repealed and recreated to read:

17 49.147 **(4)** COMMUNITY SERVICE JOB. (a) *Administration.* A Wisconsin works
18 agency shall administer a community service job program as part of its
19 administration of Wisconsin works to improve the employability of an individual who
20 is not otherwise able to obtain employment, as determined by the Wisconsin works
21 agency, by providing work experience and training, if necessary, to assist the
22 individual to move promptly into unsubsidized public or private employment or a
23 trial job. In determining an appropriate placement for a participant, a Wisconsin
24 works agency shall give placement under this subsection priority over placements
25 under sub. (5). Community service jobs shall be limited to projects that the

1 department determines would serve a useful public purpose or projects the cost of
2 which is partially or wholly offset by revenue generated from such projects. After
3 each 6 months of an individual's participation under this subsection and at the
4 conclusion of each assignment under this subsection, a Wisconsin works agency shall
5 reassess the individual's employability.

6 (am) *Education or training activities.* A participant under this subsection may
7 be required to participate in education and training activities assigned as part of an
8 employability plan developed by the Wisconsin works agency. The department shall
9 establish by rule permissible education and training under this paragraph, which
10 shall include a course of study meeting the standards established under s. 115.29 (4)
11 for the granting of a declaration of equivalency of high school graduation, technical
12 college courses and educational courses that provide an employment skill.
13 Permissible education under this paragraph shall also include English as a 2nd
14 language courses that the Wisconsin works agency determines would facilitate an
15 individual's efforts to obtain employment and adult basic education courses that the
16 Wisconsin works agency determines would facilitate an individual's efforts to obtain
17 employment.

18 (as) *Required hours.* Except as provided in pars. (at) and (av) and sub. (5m),
19 a Wisconsin works agency shall require a participant placed in a community service
20 job program to work in a community service job for the number of hours determined
21 by the Wisconsin works agency to be appropriate for the participant at the time of
22 application or review, but not to exceed 30 hours per week. Except as provided in
23 pars. (at) and (av), a Wisconsin works agency may require a participant placed in the
24 community service job program to participate in education or training activities for
25 not more than 10 hours per week.

1 (at) *Motivational training.* A Wisconsin works agency may require a
2 participant, during the first 2 weeks of participation under this subsection, to
3 participate in an assessment and motivational training program identified by the
4 community steering committee under s. 49.143 (2) (a) 10. The Wisconsin works
5 agency may require not more than 40 hours of participation per week under this
6 paragraph in lieu of the participation requirement under par. (as).

7 (av) *Education for 18-year-old and 19-year-old students.* A Wisconsin works
8 agency shall permit a participant under this subsection who has not attained the age
9 of 20 and who has not obtained a high school diploma or a declaration of equivalency
10 of high school graduation to attend high school or, at the option of the participant,
11 to enroll in a course of study meeting the standards established under s. 115.29 (4)
12 for the granting of a declaration of equivalency of high school graduation to satisfy,
13 in whole or in part, the required hours of participation under par. (as).

14 (b) *Time-limited participation.* An individual may participate in a community
15 service job for a maximum of 6 months, with an opportunity for a 3-month extension
16 under circumstances approved by the department. An individual may participate
17 in more than one community service job, but may not exceed a total of 24 months of
18 participation under this subsection. The months need not be consecutive. The
19 department or, with the approval of the department, the Wisconsin works agency
20 may grant an extension to the 24-month limit on a case-by-case basis if the
21 Wisconsin works agency determines that the individual has made all appropriate
22 efforts to find unsubsidized employment and has been unable to find unsubsidized
23 employment because local labor market conditions preclude a reasonable
24 employment opportunity in unsubsidized employment for that participant, as
25 determined by a Wisconsin works agency and approved by the department, and if the

1 Wisconsin works agency determines, and the department agrees, that no trial job
2 opportunities are available in the specified local labor market.

3 (c) *Worker's compensation.* A participant under this subsection is an employe
4 of the Wisconsin works agency for purposes of worker's compensation coverage,
5 except to the extent that the person for whom the participant is performing work
6 provides worker's compensation coverage.

7 **SECTION 1233g.** 49.147 (5) (bs) of the statutes is amended to read:

8 49.147 (5) (bs) *Required hours.* Except as provided in par. (bt) and sub. (5m),
9 a Wisconsin works agency may require a participant placed in a transitional
10 placement to engage in activities under par. (b) 1. for up to 28 hours per week. ~~A~~
11 Except as provided in sub. (5m), a Wisconsin works agency may require a participant
12 placed in a transitional placement to participate in education or training activities
13 under par. (bm) for not more than 12 hours per week.

14 **SECTION 1233m.** 49.147 (5m) of the statutes is created to read:

15 49.147 (5m) POSTSECONDARY EDUCATION. (a) To the extent permitted under 42
16 USC 607, and except as provided in par. (bL), a participant under sub. (4) (b) or (5)
17 may elect to participate in a self-initiated technical college education program as
18 part of a community service job placement or transitional placement if all of the
19 following requirements are met:

20 1. The Wisconsin works agency, in consultation with the community steering
21 committee established under s. 49.143 (2) (a) and the technical college district board,
22 determines that the technical college education program is likely to lead to
23 employment.

1 2. The participant maintains full-time status in the technical college education
2 program, as determined by the technical college that the participant attends, and
3 regularly attends all classes.

4 3. The participant maintains a grade point average of at least 2.0, or the
5 equivalent as determined by the technical college.

6 4. The participant is employed or engages in work under a community service
7 job or transitional placement.

8 (b) No Wisconsin works agency may require a participant under this subsection
9 to be employed or to engage in work or other activities under sub. (4) or (5) for more
10 than 25 hours per week in addition to participation under this subsection.

11 (bL) A participant may participate under this subsection for the duration of the
12 technical college education program, except that the participant may not participate
13 under this subsection for more than 2 years.

14 (c) The Wisconsin works agency shall work with the community steering
15 committee established under s. 49.143 (2) (a) and the technical college district board
16 to monitor the participant's progress in the technical college education program and
17 the effectiveness of the program in leading to employment.

18 **SECTION 1234qc.** 49.147 (6) (a) 2. of the statutes is amended to read:

19 49.147 (6) (a) 2. The individual needs the loan to obtain or continue
20 employment. Fulfillment of this requirement includes a loan that is needed to repair
21 or purchase a vehicle that is needed to obtain or continue employment.

22 **SECTION 1235.** 49.1475 of the statutes is created to read:

23 **49.1475 Follow-up services.** Following any follow-up period required by the
24 contract entered into under s. 49.143, a Wisconsin works agency may provide case
25 management services for an individual who moves from a Wisconsin works

1 employment position to unsubsidized employment to help the individual retain the
2 unsubsidized employment. Case management services may include the provision of
3 employment skills training; English as a 2nd language classes, if the Wisconsin
4 works agency determines that the course will facilitate the individual's efforts to
5 retain employment; a course of study meeting the standards established under s.
6 115.29 (4) for the granting of a declaration of equivalency of high school graduation;
7 or other remedial education courses. The Wisconsin works agency may provide case
8 management services regardless of the individual's income and asset levels.

9 **SECTION 1236.** 49.148 (1) (b) 1. of the statutes, as affected by 1997 Wisconsin
10 Act 27, is amended to read:

11 49.148 (1) (b) 1. ~~For Except as provided in subd. 1m., for a participant in a~~
12 ~~community service job under s. 49.147 (4) (b), a monthly grant of \$673, paid by the~~
13 ~~Wisconsin works agency or by the department under sub. (2).~~ For every hour that
14 the participant misses work or education or training activities without good cause,
15 the grant amount shall be reduced by \$5.15. Good cause shall be determined by the
16 financial and employment planner in accordance with rules promulgated by the
17 department. Good cause shall include required court appearances for a victim of
18 domestic abuse. If a participant in a community service job under s. 49.147 (4) (b) is
19 required to work fewer than 30 hours per week because the participant has
20 unsubsidized employment, as defined in s. 49.147 (1) (c), the grant amount under this
21 paragraph ~~may be reduced by an amount equal to the product of \$5.15 and the~~
22 ~~difference between 30 and the number of hours the participant is required to work~~
23 shall equal the amount specified under subd. 1m. minus \$5.15 for each hour that the
24 participant misses work or education or training activities without good cause.

25 **SECTION 1236c.** 49.148 (1) (b) 1m. of the statutes is created to read:

1 49.148 (1) (b) 1m. Except as provided in subd. 1., the Wisconsin works agency
2 shall pay a participant in a community service job the following:

3 a. For a participant placed in a community service job for not more than 10
4 hours per week, one-third of the amount specified in subd. 1m. d.

5 b. For a participant placed in a community service job for more than 10 hours
6 but not more than 15 hours per week, one-half of the amount specified under subd.
7 1m. d.

8 c. For a participant placed in a community service job for more than 15 hours
9 but not more than 20 hours per week, two-thirds of the amount specified under subd.
10 1m. d.

11 d. For a participant placed in a community service job for more than 20 hours
12 per week, \$673.

13 **SECTION 1237b.** 49.148 (1) (b) 2. of the statutes is repealed.

14 **SECTION 1237f.** 49.148 (1) (b) 3. of the statutes is created to read:

15 49.148 (1) (b) 3. For a participant in a community service job who participates
16 in self-initiated technical college education under s. 49.147 (5m), a monthly grant
17 of \$673, paid by the Wisconsin works agency. For every hour that the participant
18 misses work or other required activities without good cause, the grant amount shall
19 be reduced by \$5.15. Good cause shall be determined by the financial and
20 employment planner in accordance with rules promulgated by the department. Good
21 cause shall include required court appearances for a victim of domestic abuse.

22 **SECTION 1237h.** 49.148 (1) (c) of the statutes is amended to read:

23 49.148 (1) (c) *Transitional placements.* For a participant in a transitional
24 placement under s. 49.147 (5) or in a transitional placement and in self-initiated
25 technical college education under s. 49.147 (5m), a grant of \$628, paid monthly by

1 the Wisconsin works agency ~~or by the department under sub. (2)~~. For every hour that
2 the participant fails to participate in any required activity without good cause,
3 including any activity under s. 49.147 (5) (b) 1. a. to e., the grant amount shall be
4 reduced by \$5.15. Good cause shall be determined by the financial and employment
5 planner in accordance with rules promulgated by the department. Good cause shall
6 include required court appearances for a victim of domestic abuse.

7 **SECTION 1237m.** 49.148 (1m) (a) of the statutes, as affected by 1997 Wisconsin
8 Act 27, is amended to read:

9 49.148 (1m) (a) A custodial parent of a child who is 12 weeks old or less and
10 who meets the eligibility requirements under s. 49.145 (2) and (3) may receive a
11 monthly grant of \$673 unless another adult member of the custodial parent's
12 Wisconsin works group is participating in, or is eligible to participate in, a Wisconsin
13 works employment position or is employed in unsubsidized employment, as defined
14 in s. 49.147 (1) (c). A Wisconsin works agency may not require a participant under
15 this subsection to participate in any employment positions. Receipt of a grant under
16 this subsection does not constitute participation in a Wisconsin works employment
17 position for purposes of the time limits under s. 49.145 (2) (n) or 49.147 (3) (c), (4) (b)
18 ~~2. or (c) 4. or (5) (b) 2.~~ if the child is born to the participant not more than 10 months
19 after the date that the participant was first determined to be eligible for assistance
20 under s. 49.19 or for a Wisconsin works employment position.

21 **SECTION 1237n.** 49.148 (1m) (b) of the statutes, as affected by 1997 Wisconsin
22 Act 27, is amended to read:

23 49.148 (1m) (b) Receipt of a grant under this subsection constitutes
24 participation in a Wisconsin works employment position for purposes of the time
25 limits under ss. 49.145 (2) (n) and 49.147 (3) (c), (4) (b) ~~2. or (c) 4. or (5) (b) 2.~~ if the

1 child is born to the participant more than 10 months after the date that the
2 participant was first determined to be eligible for assistance under s. 49.19 or for a
3 Wisconsin works employment position unless the child was conceived as a result of
4 a sexual assault in violation of s. 940.225 (1), (2) or (3) in which the mother did not
5 indicate a freely given agreement to have sexual intercourse or of incest in violation
6 of s. 944.06 or 948.06 and that incest or sexual assault has been reported to a
7 physician and to law enforcement authorities.

8 **SECTION 1237t.** 49.148 (2m) of the statutes is created to read:

9 49.148 (2m) PAY PERIOD. (a) Except as provided in par. (b), benefits under this
10 section shall be paid on the first day of each month. A payment made under this
11 paragraph shall be for any participation from the 26th day of the month immediately
12 preceding the month that immediately precedes the month in which the payment is
13 made through the 25th day of the month that immediately precedes the month in
14 which the payment is made.

15 (b) The Wisconsin works agency shall make the first grant payment under this
16 section 14 days after the participant begins participating under s. 49.147 (4).
17 Payments made under this paragraph shall include payment for all participation
18 through the date of the payment.

19 **SECTION 1241.** 49.155 (1) (aL) of the statutes is created to read:

20 49.155 (1) (aL) “Disabled” means physically or mentally incapable of caring for
21 oneself.

22 **SECTION 1244.** 49.155 (1g) (intro.) of the statutes is amended to read:

23 49.155 (1g) DISTRIBUTION OF FUNDS. (intro.) Subject to sub. (1j) and ~~s. 16.54 (2)~~,
24 the department shall, within the limits of the availability of the federal child care and
25 development block grant funds received under 42 USC 9858, do all of the following:

1 **SECTION 1245d.** 49.155 (1g) (b) of the statutes is amended to read:

2 49.155 **(1g)** (b) From the appropriation under s. 20.445 (3) (mc), distribute
3 ~~\$4,315,000~~ \$8,012,500 in fiscal year ~~1997–98~~ 1999–2000 and ~~\$4,315,000~~ \$7,412,500
4 in fiscal year ~~1998–99~~ 2000–01 for the purposes of providing technical assistance for
5 child care providers and of administering the child care program under this section
6 and for grants under s. 49.136 (2) for the start-up and expansion of child day care
7 services, and for child day care start-up and expansion planning, for grants under
8 s. 49.134 (2) for child day care resource and referral services, for grants under s.
9 49.137 (3) to assist child care providers in meeting the quality of care standards
10 established under sub. (1d), and for a system of rates or a program of grants, as
11 provided under sub. (1d), to reimburse child care providers that meet those quality
12 of care standards and for grants under s. 49.137 (2) and contracts under s. 49.137 (4)
13 to improve the quality of child day care services in this state.

14 **SECTION 1246.** 49.155 (1g) (c) of the statutes is amended to read:

15 49.155 **(1g)** (c) From the appropriation under s. 20.445 (3) (mc), transfer
16 ~~\$1,687,400~~ \$3,596,900 in fiscal year ~~1997–98~~ 1999–2000 and ~~\$1,687,400~~ \$3,745,200
17 in fiscal year ~~1998–99~~ 2000–01 to the appropriation under s. 20.435 (6) (3) (kx), and
18 transfer \$20,700 in fiscal year 1999–2000 and \$27,700 in fiscal year 2000–01 to the
19 appropriation under s. 20.435 (8) (kx). for the purpose of day care center licensing
20 under s. 48.65.

21 **SECTION 1247.** 49.155 (1g) (d) of the statutes is created to read:

22 49.155 **(1g)** (d) From the appropriation under s. 20.445 (3) (mc), transfer
23 \$182,200 in each fiscal year to the appropriation under s. 20.435 (3) (kx) for the
24 administration of day care programs for foster parents in a county having a
25 population of 500,000 or more.

1 **SECTION 1248.** 49.155 (1m) (intro.) of the statutes is amended to read:

2 49.155 **(1m)** ELIGIBILITY. (intro.) A Wisconsin works agency shall determine
3 eligibility for a child care subsidy under this section. Under this section, an
4 individual may receive a subsidy for child care for a child who has not attained the
5 age of 13 or, if the child is disabled, who has not attained the age of 19, if the
6 individual meets all of the following conditions:

7 **SECTION 1249.** 49.155 (1m) (a) (intro.) of the statutes is amended to read:

8 49.155 **(1m)** (a) (intro.) The individual is a parent of a child who is under the
9 age of 13, or, if the child is disabled, is under the age of 19; or is a person who, under
10 s. 48.57 (3m) or (3n), is providing care and maintenance for a child who is under the
11 age of 13, or, if the child is disabled, is under the age of 19; and child care services
12 for that child are needed in order for the individual to do any of the following:

13 **SECTION 1249q.** 49.155 (1m) (a) 3. of the statutes, as affected by 1997 Wisconsin
14 Act 27, is amended to read:

15 49.155 **(1m)** (a) 3. Work in a Wisconsin works employment position, including
16 participation in job search, orientation and training activities under s. 49.147 (2) (a)
17 and in education or training activities under s. 49.147 (3) (am), (4) ~~(b)~~ 1. a. (am) or
18 (5) (bm).

19 **SECTION 1250b.** 49.155 (1m) (a) 4. (intro.) of the statutes is renumbered 49.155
20 (1m) (a) 4. and amended to read:

21 49.155 **(1m)** (a) 4. ~~Participate in other employment skills training~~ If the
22 Wisconsin works agency determines that basic education would facilitate the
23 individual's efforts to obtain or maintain employment, participate in basic education,
24 including an English as a 2nd language course, ~~if the Wisconsin works agency~~
25 ~~determines that the course would facilitate the individual's efforts to obtain~~

1 ~~employment; literacy tutoring; or a course of study meeting the standards~~
2 ~~established by the state superintendent of public instruction under s. 115.29 (4) for~~
3 ~~the granting of a declaration of equivalency of high school graduation; a course of~~
4 ~~study at a technical college, if the Wisconsin works agency determines that the~~
5 ~~course would facilitate the individual's efforts to obtain or maintain employment; or~~
6 ~~participation in educational courses that provide an employment skill, as~~
7 ~~determined by the department. An individual may receive aid under this subdivision~~
8 ~~for up to two 2 years. An individual may not receive aid under this subdivision unless~~
9 ~~the individual meets at least one of the following conditions:~~

10 **SECTION 1251b.** 49.155 (1m) (a) 4. a. of the statutes is repealed.

11 **SECTION 1251c.** 49.155 (1m) (a) 4. b. of the statutes is repealed.

12 **SECTION 1252.** 49.155 (1m) (a) 5. of the statutes is created to read:

13 49.155 **(1m)** (a) 5. Participate in a course of study at a technical college, or
14 participate in educational courses that provide an employment skill, as determined
15 by the department, if the Wisconsin works agency determines that the course or
16 courses would facilitate the individual's efforts to obtain or maintain employment.
17 An individual may receive aid under this subdivision for up to 2 years.

18 **SECTION 1253.** 49.155 (1m) (b) 3. of the statutes is repealed.

19 **SECTION 1254.** 49.155 (1m) (c) 1. of the statutes is renumbered 49.155 (1m) (c)
20 1. (intro.) and amended to read:

21 49.155 **(1m)** (c) 1. (intro.) The gross income of the individual's family is at or
22 below ~~165%~~ 185% of the poverty line for a family the size of the individual's family
23 or, for an individual who is already receiving a child care subsidy under this section,
24 the gross income of the individual's family is at or below 200% of the poverty line for
25 a family the size of the individual's family. In calculating the gross income of the

1 family, the Wisconsin works agency shall include income described under s. 49.145
2 (3) (b) 1. ~~to and 3.~~ except that, in calculating farm and self-employment income, the
3 Wisconsin works agency shall include the sum of the following:

4 **SECTION 1255.** 49.155 (1m) (c) 1. a. of the statutes is created to read:

5 49.155 (1m) (c) 1. a. Net earnings reported to the Internal Revenue Service.

6 **SECTION 1256.** 49.155 (1m) (c) 1. b. of the statutes is created to read:

7 49.155 (1m) (c) 1. b. Depreciation expenses, personal business and
8 entertainment expenses, personal transportation costs, purchases of capital
9 equipment and payments on the principal of loans.

10 **SECTION 1257.** 49.155 (1m) (c) 1g. of the statutes is amended to read:

11 49.155 (1m) (c) 1g. The individual is a foster parent of the child and the child's
12 biological or adoptive family ~~meets the asset limit under s. 49.145 (3) (a) and~~ has a
13 gross income that is at or below 200% of the poverty line. In calculating the gross
14 income of the child's biological or adoptive family, the Wisconsin works agency shall
15 include income described under s. 49.145 (3) (b) 1. ~~to~~ and 3.

16 **SECTION 1258.** 49.155 (1m) (c) 1h. of the statutes is amended to read:

17 49.155 (1m) (c) 1h. The individual is a relative of the child, is providing care
18 for the child under a court order and is receiving payments under s. 48.57 (3m) on
19 behalf of the child and the child's biological or adoptive family ~~meets the asset limit~~
20 ~~under s. 49.145 (3) (a) and~~ has a gross income that is at or below 200% of the poverty
21 line. In calculating the gross income of the child's biological or adoptive family, the
22 Wisconsin works agency shall include income described under s. 49.145 (3) (b) 1. ~~to~~
23 and 3.

24 **SECTION 1259.** 49.155 (1m) (c) 3. of the statutes is amended to read:

1 49.155 (1m) (c) 3. The individual was eligible for a child care subsidy under s.
2 49.191 (2), 1997 stats., on or after May 10, 1996, and received a child care subsidy
3 on or after May 10, 1996, but lost the subsidy solely because of increased income, and
4 the gross income of the individual's family is at or below 200% of the poverty line for
5 a family the size of the individual's family. This subdivision does not apply to an
6 individual whose family's gross income increased to more than 200% of the poverty
7 line for a family the size of the individual's family.

8 **SECTION 1265.** 49.155 (3m) (b) of the statutes is renumbered 49.155 (3m) (b)
9 (intro.) and amended to read:

10 49.155 (3m) (b) ~~Not more than 5%, or \$20,000, whichever is greater, of~~ Of the
11 funds distributed under par. (a) not more than the greatest of the following may be
12 used for the costs of administering the program under this section.:

13 **SECTION 1266.** 49.155 (3m) (b) 1. of the statutes is created to read:

14 49.155 (3m) (b) 1. Five percent of the funds distributed under par. (a) in the
15 current year.

16 **SECTION 1267.** 49.155 (3m) (b) 2. of the statutes is created to read:

17 49.155 (3m) (b) 2. Five percent of the funds distributed under par. (a) in the
18 immediately preceding year.

19 **SECTION 1268.** 49.155 (3m) (b) 3. of the statutes is created to read:

20 49.155 (3m) (b) 3. Twenty thousand dollars.

21 **SECTION 1270p.** 49.155 (5) of the statutes is amended to read:

22 49.155 (5) **LIABILITY FOR PAYMENT.** An individual is liable for the percentage of
23 the cost of the child care ~~that the department specified by the department in a printed~~
24 copayment schedule. An individual who is under the age of 20 and is attending high
25 school or participating in a course of study meeting the standards established under

1 s. 115.29 (4) for the granting of a declaration of equivalency to high school graduation
2 may not be determined liable for more than the minimum copayment amount for the
3 type of child care received and the number of children receiving child care.

4 **SECTION 1275.** 49.161 (1) of the statutes, as affected by 1997 Wisconsin Act 27,
5 is amended to read:

6 49.161 (1) ~~TRIAL JOBS AND WAGE-PAYING COMMUNITY SERVICE JOBS OVERPAYMENTS.~~
7 Notwithstanding s. 49.96, the department shall recover an overpayment of benefits
8 paid under s. 49.148 (1) (a) ~~and (b) 2.~~ from an individual who receives ~~or has received~~
9 benefits paid under s. 49.148 (1) (a) ~~or (b) 2.~~ The value of the benefit liable for
10 recovery under this subsection may not exceed the amount that the department paid
11 in wage subsidies with respect to that participant while the participant was
12 ineligible to participate. The department shall promulgate rules establishing
13 policies and procedures for administrating this subsection.

14 **SECTION 1276.** 49.161 (2) of the statutes, as affected by 1997 Wisconsin Act 27,
15 is amended to read:

16 49.161 (2) ~~GRANT-PAYING COMMUNITY~~ COMMUNITY SERVICE JOBS AND TRANSITIONAL
17 PLACEMENTS OVERPAYMENTS. Except as provided in sub. (3), the department shall
18 recover an overpayment of benefits paid under s. 49.148 (1) (b) ~~1.~~ and or (c) from an
19 individual who continues to receive benefits under s. 49.148 (1) (b) ~~1.~~ and (c) by
20 reducing the amount of the individual's benefit payment by no more than 10%.

21 **SECTION 1276f.** 49.1635 of the statutes is created to read:

22 **49.1635 Wisconsin Trust Account Foundation.** (1) To the extent
23 permitted under federal law and subject to sub. (2), from the appropriation under s.
24 20.445 (3) (md) the department shall distribute to the Wisconsin Trust Account
25 Foundation an amount equal to the amount received by the foundation from private

1 donations, but not to exceed \$100,000 in each fiscal year. Except as provided in sub.
2 (4), funds distributed under this subsection may be used only for the provision of
3 legal services to individuals who are eligible for temporary assistance for needy
4 families under 42 USC 601 et seq. and whose incomes are at or below 200% of the
5 poverty line.

6 (2) The department may not distribute funds under sub. (1) until the Wisconsin
7 Trust Account Foundation reports to the department the amount received by the
8 Wisconsin Trust Account Foundation in private donations.

9 (3) If the Wisconsin Trust Account Foundation receives funds under sub. (1),
10 it shall do all of the following:

11 (a) Develop a separate account for the funds distributed under sub. (1).

12 (b) Require each organization to which the Wisconsin Trust Account
13 Foundation distributes funds received under sub. (1) to match 100% of the amount
14 distributed to that organization that is attributable to the funds received by the
15 Wisconsin Trust Account Foundation under sub. (1).

16 (c) Annually, prepare a report for distribution to the joint committee on finance
17 that specifies the organizations that received funding under this section.

18 (4) Not more than 10% of the total funds received by the Wisconsin Trust
19 Account Foundation may be used for administration.

20 **SECTION 1277.** 49.167 of the statutes is created to read:

21 **49.167 Alcohol and other drug abuse treatment grant program. (1)** The
22 department shall award grants to counties, tribal governing bodies and private
23 entities to provide community-based alcohol and other drug abuse treatment
24 programs that are targeted at individuals who have a family income of not more than

1 200% of the poverty line and who are eligible for temporary assistance for needy
2 families under 42 USC 601 et seq. and that do all of the following:

3 (a) Meet the special needs of low-income persons with problems resulting from
4 alcohol or other drug abuse.

5 (b) Emphasize parent education, vocational and housing assistance and
6 coordination with other community programs and with treatment under intensive
7 care.

8 **(2)** The department shall do all of the following with respect to the grants under
9 par. (a):

10 (a) Award the grants in accordance with the department's
11 request-for-proposal procedures.

12 (b) Ensure that the grants are distributed in both urban and rural
13 communities.

14 (c) Evaluate the programs under the grants by use of client-outcome
15 measurements that the department develops.

16 **(3)** The department shall coordinate the grant program under this section with
17 any similar grant program administered by the department of health and family
18 services.

19 **SECTION 1277g.** 49.169 of the statutes is created to read:

20 **49.169 Family literacy grants. (1)** In this section, "family literacy training"
21 means literacy training that focuses on interactive literacy activities between
22 parents and their children and that aims at improving the literacy skills of both
23 parents and their children.

1 **(2)** The department shall award not more than \$1,404,100 in grants to
2 qualified applicants for the provision of family literacy training to individuals who
3 are eligible for temporary assistance for needy families under 42 USC 601 et. seq.

4 **(3)** To qualify for a grant under sub. (2), the applicant must be an organization
5 that has a demonstrated history of providing literacy training to adults and children
6 and must fulfill any other criteria developed under sub. (4).

7 **(4)** The department, in consultation with the technical college system board,
8 the department of public instruction and the governor's office, shall develop written
9 criteria to be used to evaluate the grant proposals and to allocate the grants under
10 this section among the successful grant applicants.

11 **(5)** The department shall require grant recipients to coordinate with the
12 appropriate Wisconsin works agencies to ensure that those participants in Wisconsin
13 works who are served by those Wisconsin works agencies and who need family
14 literacy training receive adequate family literacy training.

15 **SECTION 1277v.** 49.173 of the statutes is created to read:

16 **49.173 Workforce attachment.** **(1)** The department shall distribute funds
17 to Wisconsin works agencies and to local workforce development boards established
18 under 29 USC 2832 to provide all of the following to any person who is eligible for
19 the federal temporary assistance to needy families program under 42 USC 601 et.
20 seq.:

21 (a) Job readiness training and job placement services to unemployed persons.

22 (b) Basic job skills development to unemployed or recently employed persons.

23 (c) Services to assist recently employed persons with job retention.

24 (d) Incumbent worker training to promote job advancement and increased
25 earnings.

1 (e) Services to employers to assist them in retaining workers and providing
2 workers with position advancement.

3 **(2)** (a) The department shall allocate a portion of the amount to be distributed
4 under sub. (1) and shall distribute that portion in equal amounts among all of the
5 Wisconsin works agencies.

6 (b) The department shall distribute the amount that remains after the
7 distribution under par. (a) to each Wisconsin works agency and local workforce
8 development board based on the criteria specified in sub. (3).

9 **(3)** (a) The department shall allocate and distribute funds under sub. (2) (b) to
10 Wisconsin works agencies based on the number of persons in all of the following case
11 categories served by that Wisconsin works agency:

- 12 1. Case management.
- 13 2. Food stamp employment and training.
- 14 3. Diversion, as defined by the department.
- 15 4. Noncustodial parents.
- 16 5. Child care.

17 (b) The department shall allocate and distribute to each local workforce
18 development board funds under sub. (2) (b) based on a formula that takes into
19 account all of the following:

- 20 1. The percentage of the population of the area served by the local board with
21 an income at or below 200% of the poverty line.
- 22 2. Labor force participation.
- 23 3. The unemployment rate of the area served by the local board.

24 **(4)** The department shall require recipients of the funds distributed under this
25 section to meet performance standards that are based on employment placement for

1 unemployed persons, job retention rates of the persons served by the fund recipients,
2 increased earnings of the persons served by the fund recipients, and increased child
3 support collections for noncustodial parents served by the fund recipients.

4 **SECTION 1278g.** 49.175 of the statutes, as affected by 1997 Wisconsin Act 27,
5 is repealed and recreated to read:

6 **49.175 Public assistance and local assistance allocations. (1)**

7 ALLOCATION OF FUNDS. Within the limits of the appropriations under s. 20.445 (3) (a),
8 (br), (cm), (dc), (dz), (e), (em), (jL), (k), (L), (Lm), (mc), (md), (nL), (pm) and (ps), the
9 department shall allocate the following amounts for the following purposes:

10 (a) *Wisconsin works benefits.* For Wisconsin works benefits provided under
11 contracts having a term that begins on January 1, 2000, and ends on
12 December 31, 2001, \$24,649,800 in fiscal year 1999–2000 and \$49,309,600 in fiscal
13 year 2000–01.

14 (b) *Wisconsin works administration and ancillary services.* For administration
15 of Wisconsin works and program services under Wisconsin works performed under
16 contracts under s. 49.143 having a term that begins on January 1, 2000, and ends
17 on December 31, 2001, \$64,216,800 in fiscal year 1999–2000 and \$128,433,800 in
18 fiscal year 2000–01.

19 (c) *Performance bonuses.* For performance bonuses to Wisconsin works
20 agencies that have entered into contracts under s. 49.143 having a term that begins
21 on January 1, 2000, and that ends on December 31, 2001, \$3,706,300 in fiscal year
22 1999–2000 and \$7,413,100 in fiscal year 2000–01.

23 (cr) *Credit assistance.* For payments to Wisconsin works agencies in 1st class
24 cities for the provision of credit establishment and credit repair assistance to
25 Wisconsin works participants, not more than \$3,000,000 in each fiscal year.

1 Notwithstanding sub. (2), the department may not use any funds allocated under
2 this paragraph for any other purpose under this subsection.

3 (d) *County community reinvestment.* For reinvestment of funds into
4 communities under s. 49.179, \$2,779,800 in fiscal year 1999–2000 and \$5,559,800
5 in fiscal year 2000–01.

6 (e) *Initial contracts.* For contracts under s. 49.143 having a term that ends on
7 December 31, 1999, \$245,171,800 in fiscal year 1999–2000.

8 (f) *Wisconsin works agency contingency fund.* For contingency payments to
9 Wisconsin works agencies for program costs, \$102,000,000 in the 1999–2001 fiscal
10 biennium, to be distributed under criteria established by the department, except
11 that the department may not distribute moneys allocated under this paragraph
12 unless the joint committee on finance approves the distribution.

13 (g) *State administration of public assistance programs.* For state
14 administration of public assistance programs, \$31,831,000 in fiscal year 1999–2000
15 and \$31,783,200 in fiscal year 2000–01.

16 (h) *Food stamps for legal immigrants.* For food stamp benefits to qualified
17 aliens under s. 49.124 (8), \$420,000 in each fiscal year.

18 (i) *Emergency assistance.* For emergency assistance under s. 49.138,
19 \$3,300,000 in each fiscal year.

20 (j) *Funeral expenses.* For funeral expenses under s. 49.30, \$3,300,000 in fiscal
21 year 1999–2000 and \$3,925,100 in fiscal year 2000–01.

22 (m) *Children first.* For services under the work experience program for
23 noncustodial parents under s. 49.36, \$1,140,000 in each fiscal year.

24 (n) *Job access loans.* For job access loans under s. 49.147 (6), \$600,000 in each
25 fiscal year.

1 (o) *Employment skills advancement grants.* For employment skills
2 advancement grants under s. 49.185, \$100,000 in each fiscal year.

3 (p) *Direct child care services.* For direct child care services under s. 49.155,
4 \$159,560,000 in fiscal year 1999–2000 and \$181,050,000 in fiscal year 2000–01.

5 (q) *Indirect child care services.* For indirect child care services under s. 49.155
6 (1g), \$11,812,300 in fiscal year 1999–2000 and \$11,367,600 in fiscal year 2000–01.

7 (r) *Early childhood excellence initiative.* For grants under s. 49.1375,
8 \$7,500,000 in each fiscal year.

9 (s) *Start-up funding.* For start-up funding for contracts under s. 49.143 having
10 a term that begins on January 1, 2000, and that ends on December 31, 2001,
11 \$3,519,000 in fiscal year 1999–2000. The department may not distribute moneys
12 allocated under this paragraph unless the joint committee on finance approves the
13 distribution.

14 (t) *Wisconsin works contracts in certain counties.* For contracts with persons
15 for oversight of the administrative structure of Wisconsin works, and of Wisconsin
16 works agencies, in counties having a population of 500,000 or more, \$1,500,000 in
17 fiscal year 1999–2000 and \$1,000,000 in fiscal year 2000–01.

18 (u) *Workforce attachment.* For services specified under s. 49.173, \$9,700,000
19 in fiscal year 1999–2000 and \$10,000,000 in fiscal year 2000–01. The department
20 may not distribute moneys allocated under this paragraph unless the joint
21 committee on finance approves the distribution.

22 (v) *Transportation assistance.* For transportation assistance under s. 49.157,
23 \$200,000 in fiscal year 1999–2000 and \$2,000,000 in fiscal year 2000–01.

24 (w) *Hospital paternity incentives.* For hospital paternity incentive payments
25 under s. 69.14 (1) (cm), \$91,900 in each fiscal year.

1 (x) *Passports for youth program.* For the passports for youth program operated
2 by the YMCA of Metropolitan Milwaukee, \$300,000 in fiscal year 1999–2000. The
3 department may not distribute funds under this paragraph if the passports for youth
4 program does not comply with P.L. 104–193, section 103.

5 (y) *Literacy initiative.* For literacy grants under s. 49.169 and literacy services
6 administered by the governor’s office, \$1,454,100 in each fiscal year.

7 (z) *Community youth grant.* For a competitive grant program administered by
8 the department to fund programs that improve social, academic and employment
9 skills of youth who are eligible to receive temporary assistance for needy families
10 under 42 USC 601 et seq., \$7,500,000 in each fiscal year.

11 (zb) *Work-based learning programs for youth.* For work-based learning
12 programs for youth funded from the appropriation under s. 20.445 (7) (kc),
13 \$2,969,700 in fiscal year 1999–2000 and \$6,084,500 in fiscal year 2000–01.

14 (zc) *Fatherhood initiative.* For a grant program to promote fathers’
15 involvement in their children’s lives, \$75,000 in fiscal year 1999–2000.

16 (zd) *Alcohol and other drug abuse.* For grants made under s. 49.167 to
17 organizations that provide community-based alcohol and other drug abuse
18 treatment to individuals who are eligible for temporary assistance for needy families
19 under 42 USC 601 et. seq., \$1,000,000 in each fiscal year.

20 (ze) *Programs administered by the department of health and family services.*
21 1. ‘Kinship care and long-term kinship care assistance.’ For the kinship care and
22 long-term kinship care programs under s. 48.57 (3m), (3n), (3o) and (3p),
23 \$24,530,100 in fiscal year 1999–2000 and \$26,164,100 in fiscal year 2000–01.

24 2. ‘Children of recipients of supplemental security income.’ For payments made
25 under s. 49.775 for the support of the dependent children of recipients of

1 supplemental security income, \$13,745,200 in fiscal year 1999–2000 and
2 \$17,930,000 in fiscal year 2000–01.

3 3. ‘Community aids.’ For community aids, \$31,800,000 in fiscal year
4 1999–2000 and \$18,086,200 in fiscal year 2000–01.

5 4. ‘Runaway services.’ For grants to programs that provide services for
6 runaway children, \$150,000 in each fiscal year.

7 5. ‘Early identification of pregnancy.’ For outreach and services under s.
8 253.085 to low–income pregnant women, \$100,000 in each fiscal year.

9 6. ‘Supplemental food program for women, infants and children.’ From the
10 appropriation under s. 20.445 (3) (md), for per capita nutritional services and
11 administration funding to local agencies that administer the federal special
12 supplemental food program for women, infants and children under 42 USC 1786 and
13 the state supplemental food program for women, infants and children under s.
14 253.06, \$1,000,000 in each fiscal year.

15 7. ‘Adolescent services and pregnancy prevention programs.’ For adolescent
16 services and pregnancy prevention programs under ss. 46.93, 46.99 and 46.995,
17 \$1,808,300 in each fiscal year.

18 8. ‘Domestic abuse services grants.’ For the domestic abuse services grants
19 under s. 46.95 (2), \$975,000 in fiscal year 1999–2000 and \$1,000,000 in each fiscal
20 year thereafter.

21 9. ‘Statewide immunization program.’ For the statewide immunization
22 program under s. 252.04 (1), \$1,000,000 in each fiscal year.

23 10. ‘Community marriage policy project.’ For the community marriage policy
24 project under 1999 Wisconsin Act (this act), section 9123 (14g), \$45,000 in fiscal
25 year 1999–2000 and \$60,000 in each fiscal year thereafter.

1 (zf) *Badger Challenge*. For the Badger Challenge program under s. 21.25,
2 \$33,300 in fiscal year 1999–2000 and \$83,200 in fiscal year 2000–01.

3 (zg) *Aid to Milwaukee public schools*. For aid to the school district operating
4 under ch. 119 under ss. 119.72 and 119.82, \$1,410,000 in each fiscal year.

5 (zh) *Earned income tax credit*. 1. ‘Taxable year 1998.’ For the transfer of
6 moneys from the appropriation account under s. 20.445 (3) (md) to the general fund
7 to reimburse the general fund for earned income tax credits paid for the taxable year
8 that began on January 1, 1998, \$48,000,000 in fiscal year 1999–2000.

9 2. ‘Taxable years 1999 and thereafter.’ For the transfer of moneys from the
10 appropriation account under s. 20.445 (3) (md) to the appropriation account under
11 s. 20.835 (2) (kf) for the earned income tax credit, \$51,000,000 in fiscal year
12 1999–2000 and \$54,000,000 in fiscal year 2000–01.

13 (zi) *Campaign for a Sustainable Milwaukee*. For the Campaign for a
14 Sustainable Milwaukee, \$300,000 in fiscal year 1999–2000.

15 (zj) *Head start*. For the transfer of moneys to the department of public
16 instruction for head start agencies, \$3,712,500 in each fiscal year.

17 (zk) *Wisconsin trust account fund*. For the distribution to the Wisconsin trust
18 account fund under s. 49.1635, \$100,000 in each fiscal year.

19 (zL) *English for Southeast Asian children*. To the school board of the Wausau
20 school district for English training for 3–year–old, 4–year–old and 5–year–old
21 Southeast Asian children, \$100,000 in each fiscal year.

22 (zm) *Jobs initiative*. For Milwaukee Jobs Initiative, Inc., \$100,000 in each
23 fiscal year.

24 (zn) *Child abuse and neglect prevention board*. For the transfer of moneys to
25 the child abuse and neglect prevention board, \$340,000 in each fiscal year.

1 **(2) REDISTRIBUTION OF FUNDS.** The department may redistribute funds allocated
2 for a purpose specified under any paragraph under sub. (1) to be used for any other
3 purpose specified in any other paragraph under sub. (1) if all of the following
4 conditions are met:

5 (a) The secretary of administration approves the redistribution.

6 (b) The department submits a request for approval of the redistribution to the
7 joint committee on finance and the cochairpersons of the committee do not, within
8 14 days of receiving the request, notify the department that the committee has
9 scheduled a meeting for the purpose of reviewing the request. If, within 14 days after
10 receiving the request, the cochairpersons of the committee notify the department
11 that the committee has scheduled a meeting for the purpose of reviewing the request,
12 the department may not redistribute funds under sub. (1) except to the extent
13 approved by the committee.

14 **SECTION 1278t.** 49.175 (1) (ze) 10. of the statutes, as affected by 1999 Wisconsin
15 Act (this act), is repealed.

16 **SECTION 1330r.** 49.179 of the statutes is created to read:

17 **49.179 County community reinvestment. (1)** In this section, “Wisconsin
18 works” has the meaning given in s. 49.141 (1) (p).

19 **(2)** Annually, beginning January 1, 2000, the department shall distribute the
20 moneys allocated under s. 49.175 (1) (d) to counties as follows:

21 (a) To a county in which more than one Wisconsin works agency is located, the
22 department shall distribute an amount equal to 4% of the sum of the amounts for
23 which the department contracted with those Wisconsin works agencies for
24 administration and benefits under Wisconsin works for the year in which the moneys
25 are to be distributed.

1 (b) To a county in which one Wisconsin works agency is located, the department
2 shall distribute an amount equal to 4% of the amount for which the department
3 contracted with that Wisconsin works agency for administration and benefits under
4 Wisconsin works for the year in which the moneys are to be distributed.

5 (c) To a county that is one of several counties served by a single Wisconsin works
6 agency, the department shall distribute an amount equal to that county's
7 proportional share, as determined by the department, of an amount equal to 4% of
8 the amount for which the department contracted with that Wisconsin works agency
9 for administration and benefits under Wisconsin works for the year in which the
10 moneys are to be distributed.

11 **(3)** Funds distributed under sub. (2) may be used only for community
12 reinvestment projects. The department shall establish by rule criteria for the use of
13 the funds distributed under sub. (2).

14 **(4)** In conformity with the criteria established by the department under sub.
15 (3), the county board of supervisors shall determine the use of the funds distributed
16 under sub. (2).

17 **(5)** No expenditures from the funds distributed under sub. (2) may be made
18 unless the department first certifies that the expenditures are allowable under the
19 federal temporary assistance for needy families block grant program under 42 USC
20 601 et. seq.

21 **SECTION 1331.** 49.185 (3) (d) of the statutes is amended to read:

22 49.185 **(3)** (d) The individual has been employed in an unsubsidized job for at
23 least 9 6 consecutive months before applying for a grant.

24 **SECTION 1332.** 49.185 (3) (i) of the statutes is amended to read:

1 49.185 (3) (i) The individual contributes, or obtains from other sources, an
2 amount at least equal to the amount of the grant, ~~and obtains funding from other~~
3 ~~sources in an amount at least equal to the amount of the grant~~, for tuition, books,
4 transportation or other direct costs of the training or education.

5 **SECTION 1333.** 49.185 (5) of the statutes is amended to read:

6 49.185 (5) APPLICABILITY. This section applies beginning on the date stated in
7 ~~the notice under s. 49.141 (2) (d), or on~~ November 1, 1997, ~~whichever is later.~~

8 **SECTION 1335.** 49.19 (11s) (a) of the statutes is amended to read:

9 49.19 (11s) (a) The department shall conduct a demonstration project under
10 this subsection pursuant to a waiver from the secretary of the federal department of
11 health and human services beginning on January 1, 1996. To the extent permitted
12 in the waiver, the department may apply pars. (b) to (d) to all recipients of aid under
13 this section or to a test group of recipients of aid under this section determined by
14 the department. Paragraphs (b) to (d) do not apply to persons who are subject to s.
15 49.25, 1997 stats., and shall apply only while a waiver under this paragraph is in
16 effect and only with respect to recipients covered by the waiver.

17 **SECTION 1336.** 49.19 (20) (a) of the statutes is amended to read:

18 49.19 (20) (a) Beginning on January 1, 1999, or beginning on the first day of
19 the 6th month beginning after the date stated in the notice under s. 49.141 (2) (d),
20 1997 stats., whichever is sooner, no person is eligible to receive benefits under this
21 section and no aid may be granted under this section. No additional notice, other
22 than the enactment of this paragraph, is required to be given under sub. (13) to
23 recipients of aid under this section to terminate their benefits under this paragraph.

24 **SECTION 1337.** 49.191 of the statutes is repealed.

25 **SECTION 1338.** 49.193 of the statutes is repealed.

1 **SECTION 1339.** 49.195 (1) of the statutes is amended to read:

2 49.195 (1) If any parent at the time of receiving aid under s. 49.19 or a benefit

3 under s. 49.148, 49.155 or 49.157 or at any time thereafter acquires property by gift,

4 inheritance, sale of assets, court judgment or settlement of any damage claim, or by

5 winning a lottery or prize, the county granting such aid, or the Wisconsin works

6 agency granting such a benefit, may sue the parent on behalf of the department to

7 recover the value of that portion of the aid or of the benefit which does not exceed the

8 amount of the property so acquired. The value of the aid or benefit liable for recovery

9 under this section may not include the value of work performed by a member of the

10 family in a community work experience program under s. 46.215 (1) (o), 1991 stats.,

11 s. 46.22 (1) (b) 11., 1991 stats., or s. 49.50 (7j) (d), 1991 stats., or in a community work

12 experience component under s. 49.193 (6), 1997 stats. During the life of the parent,

13 the 10–year statute of limitations may be pleaded in defense against any suit for

14 recovery under this section; and if such property is his or her homestead it shall be

15 exempt from execution on the judgment of recovery until his or her death or sale of

16 the property, whichever occurs first. Notwithstanding the foregoing restrictions and

17 limitations, where the aid or benefit recipient is deceased a claim may be filed against

18 any property in his or her estate and the statute of limitations specified in s. 859.02

19 shall be exclusively applicable. The court may refuse to render judgment or allow

20 the claim in any case where a parent, spouse or child is dependent on the property

21 for support, and the court in rendering judgment shall take into account the current

22 family budget requirement as fixed by the U.S. department of labor for the

23 community or as fixed by the authorities of the community in charge of public

24 assistance. The records of aid or benefits paid kept by the county, by the department

25 or by the Wisconsin works agency are prima facie evidence of the value of the aid or

1 benefits furnished. Liability under this section shall extend to any parent or
2 stepparent whose family receives aid under s. 49.19 or benefits under s. 49.148,
3 49.155 or 49.157 during the period that he or she is a member of the same household,
4 but his or her liability is limited to such period. This section does not apply to medical
5 and health assistance payments for which recovery is prohibited or restricted by
6 federal law or regulation.

7 **SECTION 1340.** 49.195 (3) of the statutes is amended to read:

8 49.195 (3) A county, tribal governing body, Wisconsin works agency or the
9 department shall determine whether an overpayment has been made under s. 49.19,
10 49.148, 49.155 or 49.157 and, if so, the amount of the overpayment. The county, tribal
11 governing body, Wisconsin works agency or department shall provide notice of the
12 overpayment to the liable person. The department shall give that person an
13 opportunity for a review following the procedure specified under s. 49.152, if the
14 person received the overpayment under s. 49.141 to 49.161, and for a hearing under
15 ch. 227. Notwithstanding s. 49.96, the department shall promptly recover all
16 overpayments made under s. 49.19, 49.148, 49.155 or 49.157 that have not already
17 been received under s. 49.161 or 49.19 (17) and shall promulgate rules establishing
18 policies and procedures to administer this subsection. The rules shall include
19 notification procedures similar to those established for child support collections. The
20 department may not recover overpayments made as a result of department error.

21 **SECTION 1341.** 49.195 (3m) of the statutes is created to read:

22 49.195 (3m) (a) 1. If any person fails to pay to the department any amount
23 determined under sub. (3), no review or appeal of that determination is pending and
24 the time for requesting a review or taking an appeal has expired, the department
25 may issue a warrant directed to the clerk of circuit court of any county.

1 2. The clerk of circuit court shall enter in the judgment and lien docket the
2 name of the person mentioned in the warrant, the amount for which the warrant is
3 issued and the date on which the clerk entered that information.

4 3. A warrant entered under subd. 2. shall be considered in all respects as a final
5 judgment constituting a perfected lien upon the person's right, title and interest in
6 all real and personal property located in the county in which the warrant is entered.

7 4. After issuing a warrant, the department may file an execution with the clerk
8 of circuit court for filing with the sheriff of the county, commanding the sheriff to levy
9 upon and sell sufficient real and personal property of the person to pay the amount
10 stated in the warrant in the same manner as upon an execution against property
11 issued upon the judgment of a court of record, and to return the warrant to the
12 department and pay to it the money collected by virtue of the warrant within 90 days
13 after receipt of the warrant. The execution may not command the sheriff to levy upon
14 or sell any property that is exempt from execution under ss. 815.18 (3) and 815.20.

15 (b) The clerk of circuit court shall accept, file and enter the warrant in the
16 judgment and lien docket without prepayment of any fee, but the clerk of circuit court
17 shall submit a statement of the proper fee semiannually to the department covering
18 the periods from January 1 to June 30 and July 1 to December 31 unless a different
19 billing period is agreed to between the clerk of circuit court and the department. The
20 department shall pay the fees, but shall add the fees provided by s. 814.61 (5) for
21 entering the warrants to the amount of the warrant and shall collect the fees from
22 the person named in the warrant when satisfaction or release is presented for entry.

23 (c) If a warrant that is not satisfied in full is returned, the department may
24 enforce the amount due as if the department had recovered judgment against the
25 person named in the warrant for the same amount.

1 (d) When the amount set forth in a warrant and all costs due the department
2 have been paid to it, the department shall issue a satisfaction of the warrant and file
3 it with the clerk of circuit court. The clerk of circuit court shall immediately enter
4 a satisfaction of the judgment on the judgment and lien docket. The department
5 shall send a copy of the satisfaction to the person named in the warrant.

6 (e) If the department finds that the interests of the state will not be jeopardized,
7 the department may issue a release of any warrant with respect to any real or
8 personal property upon which the warrant is a lien or cloud upon title. Upon
9 presentation to the clerk and payment of the fee for filing the release, the clerk shall
10 enter the release of record. The release is conclusive that the lien or cloud upon the
11 title of the property covered by the release is extinguished.

12 (f) Notwithstanding s. 49.96, at any time after the filing of a warrant, the
13 department may commence and maintain a garnishee action as provided by ch. 812
14 or may use the remedy of attachment as provided by ch. 811 for actions to enforce a
15 judgment. The place of trial of such an action may be either in Dane County or the
16 county where the debtor resides and may not be changed from the county in which
17 that action is commenced, except upon consent of the parties.

18 (g) If the department issues an erroneous warrant, the department shall issue
19 a notice of withdrawal of the warrant to the clerk of circuit court for the county in
20 which the warrant is filed. The clerk shall void the warrant and any resulting liens.

21 (h) If the department arranges a payment schedule with the debtor and the
22 debtor complies with the payment schedule, the department shall issue a notice of
23 withdrawal of the warrant to the clerk of circuit court for the county in which the
24 warrant is filed. The clerk shall void the warrant and the resulting liens.

25 **SECTION 1342.** 49.195 (3n) of the statutes is created to read:

1 49.195 **(3n)** (a) In this subsection:

2 1. “Debt” means the amount of liability determined under sub. (3).

3 2. “Debtor” means an individual who is liable under sub. (3).

4 3. “Disposable earnings” means that part of the earnings of any debtor after the
5 deduction from those earnings of any amounts required by law to be withheld, any
6 life, health, dental or similar type of insurance premiums, union dues, any amount
7 necessary to comply with a court order to contribute to the support of minor children,
8 and any levy, wage assignment or garnishment executed prior to the date of a levy
9 under this subsection.

10 4. “Federal minimum hourly wage” means that wage prescribed by 29 USC 206
11 (a) (1).

12 5. “Levy” means all powers of distraint and seizure.

13 6. “Property” includes all tangible and intangible personal property and rights
14 to such property, including compensation paid or payable for personal services,
15 whether denominated as wages, salary, commission, bonus or otherwise, periodic
16 payments received pursuant to a pension or retirement program, rents, proceeds of
17 insurance and contract payments.

18 (b) If any debtor neglects or refuses to pay a debt after the department has made
19 demand for payment, the department may collect that debt and the expenses of the
20 levy by levy upon any property belonging to the debtor. Whenever the value of any
21 property that has been levied upon under this section is not sufficient to satisfy the
22 claim of the department, the department may levy upon any additional property of
23 the person until the debt and expenses of the levy are fully paid.

24 (c) Any person in possession of or obligated with respect to property or rights
25 to property that is subject to levy and upon which a levy has been made shall, upon

1 demand of the department, surrender the property or rights or discharge the
2 obligation to the department, except that part of the property or rights which is, at
3 the time of the demand, subject to any prior attachment or execution under any
4 judicial process.

5 (d) 1. Any debtor who fails or refuses to surrender any property or rights to
6 property that is subject to levy, upon demand by the department, is subject to
7 proceedings to enforce the amount of the levy.

8 2. Any 3rd party who fails to surrender any property or rights to property
9 subject to levy, upon demand of the department, is subject to proceedings to enforce
10 the levy. The 3rd party is not liable to the department under this subdivision for more
11 than 25% of the debt. The department shall serve the levy as provided under par.
12 (m) on any 3rd party who fails to surrender property under this subdivision.
13 Proceedings may not be initiated by the department until 5 days after service of the
14 demand.

15 3. When a 3rd party surrenders the property or rights to the property on
16 demand of the department or discharges the obligation to the department for which
17 the levy is made, the 3rd party is discharged from any obligation or liability to the
18 debtor with respect to the property or rights to the property arising from the
19 surrender or payment to the department.

20 (e) 1. If the department has levied upon property, any person, other than the
21 debtor who is liable to pay the debt out of which the levy arose, who claims an interest
22 in or lien on that property and claims that that property was wrongfully levied upon
23 may bring a civil action against the state in the circuit court for Dane County. That
24 action may be brought whether or not that property has been surrendered to the
25 department. The court may grant only the relief under subd. 2.

1 2. In an action under subd. 1., if a levy would irreparably injure rights to
2 property, the court may enjoin the enforcement of that levy. If the court determines
3 that the property has been wrongfully levied upon, it may grant a judgment for the
4 amount of money obtained by levy.

5 3. For purposes of an adjudication under this paragraph, the determination of
6 the debt upon which the interest or lien of the department is based is conclusively
7 presumed to be valid.

8 (f) The department shall determine its costs and expenses to be paid in all cases
9 of levy.

10 (g) 1. The department shall apply all money obtained under this subsection
11 first against the expenses of the proceedings and then against the liability in respect
12 to which the levy was made and any other liability owed to the department by the
13 debtor.

14 2. The department may refund or credit any amount left after the applications
15 under subd. 1., upon submission of a claim for that amount and satisfactory proof of
16 the claim, to the person entitled to that amount.

17 (h) The department may release the levy upon all or part of property levied
18 upon to facilitate the collection of the liability or to grant relief from a wrongful levy,
19 but that release does not prevent any later levy.

20 (j) If the department determines that property has been wrongfully levied
21 upon, the department may return the property at any time, or may return an amount
22 of money equal to the amount of money levied upon.

23 (k) Any person who removes, deposits or conceals or aids in removing,
24 depositing or concealing any property upon which a levy is authorized under this
25 subsection with intent to evade or defeat the assessment or collection of any debt may

1 be fined not more than \$5,000 or imprisoned for not more than 3 years or both, and
2 shall be liable to the state for the costs of prosecution.

3 (L) If no appeal or other proceeding for review permitted by law is pending and
4 the time for taking an appeal or petitioning for review has expired, the department
5 shall make a demand to the debtor for payment of the debt which is subject to levy
6 and give notice that the department may pursue legal action for collection of the debt
7 against the debtor. The department shall make the demand for payment and give
8 the notice at least 10 days prior to the levy, personally or by any type of mail service
9 which requires a signature of acceptance, at the address of the debtor as it appears
10 on the records of the department. The demand for payment and notice shall include
11 a statement of the amount of the debt, including interest and penalties, and the name
12 of the debtor who is liable for the debt. The debtor's refusal or failure to accept or
13 receive the notice does not prevent the department from making the levy. Notice
14 prior to levy is not required for a subsequent levy on any debt of the same debtor
15 within one year of the date of service of the original levy.

16 (m) 1. The department shall serve the levy upon the debtor and 3rd party by
17 personal service or by any type of mail service which requires a signature of
18 acceptance.

19 2. Personal service shall be made upon an individual, other than a minor or
20 incapacitated person, by delivering a copy of the levy to the debtor or 3rd party
21 personally; by leaving a copy of the levy at the debtor's dwelling or usual place of
22 abode with some person of suitable age and discretion residing there; by leaving a
23 copy of the levy at the business establishment with an officer or employe of the
24 establishment; or by delivering a copy of the levy to an agent authorized by law to
25 receive service of process.

1 3. The department representative who serves the levy shall certify service of
2 process on the notice of levy form and the person served shall acknowledge receipt
3 of the certification by signing and dating it. If service is made by mail, the return
4 receipt is the certificate of service of the levy.

5 4. The debtor's or 3rd party's failure to accept or receive service of the levy does
6 not invalidate the levy.

7 (n) Within 20 days after the service of the levy upon a 3rd party, the 3rd party
8 shall file an answer with the department stating whether the 3rd party is in
9 possession of or obligated with respect to property or rights to property of the debtor,
10 including a description of the property or the rights to property and the nature and
11 dollar amount of any such obligation.

12 (p) A levy is effective from the date on which the levy is first served on the 3rd
13 party until the liability out of which the levy arose is satisfied, until the levy is
14 released or until one year from the date of service, whichever occurs first.

15 (q) 1. The debtor is entitled to an exemption from levy of the greater of the
16 following:

17 a. A subsistence allowance of 75% of the debtor's disposable earnings then due
18 and owing.

19 b. An amount equal to 30 times the federal minimum hourly wage for each full
20 week of the debtor's pay period; or, in the case of earnings for a period other than a
21 week, a subsistence allowance computed so that it is equivalent to that amount using
22 a multiple of the federal minimum hourly wage prescribed by the department by
23 rule.

24 2. The first \$1,000 of an account in a depository institution is exempt from any
25 levy to recover a benefit overpayment.

1 (r) No employer may discharge or otherwise discriminate with respect to the
2 terms and conditions of employment against any employe by reason of the fact that
3 his or her earnings have been subject to levy for any one levy or because of compliance
4 with any provision of this subsection. Any person who violates this paragraph may
5 be fined not more than \$1,000 or imprisoned for not more than one year or both.

6 (s) Any debtor who is subject to a levy proceeding made by the department has
7 the right to appeal the levy proceeding under ch. 227.44. The appeal is limited to
8 questions of prior payment of the debt that the department is proceeding against,
9 and mistaken identity of the debtor. The levy is not stayed pending an appeal in any
10 case where property is secured through the levy.

11 (t) Any 3rd party is entitled to a levy fee of \$5 for each levy in any case where
12 property is secured through the levy. The 3rd party shall deduct the fee from the
13 proceeds of the levy.

14 **SECTION 1343.** 49.195 (3n) (k) of the statutes, as created by 1999 Wisconsin Act
15 (this act), is amended to read:

16 49.195 (3n) (k) Any person who removes, deposits or conceals or aids in
17 removing, depositing or concealing any property upon which a levy is authorized
18 under this subsection with intent to evade or defeat the assessment or collection of
19 any debt may be fined not more than \$5,000 or imprisoned for not more than ~~3 years~~
20 4 years and 6 months or both, and shall be liable to the state for the costs of
21 prosecution.

22 **SECTION 1344.** 49.195 (3n) (r) of the statutes, as created by 1999 Wisconsin Act
23 (this act), is amended to read:

24 49.195 (3n) (r) No employer may discharge or otherwise discriminate with
25 respect to the terms and conditions of employment against any employe by reason

1 of the fact that his or her earnings have been subject to levy for any one levy or
2 because of compliance with any provision of this subsection. Any person who violates
3 this paragraph may be fined not more than \$1,000 or imprisoned for not more than
4 ~~one year~~ 2 years or both.

5 **SECTION 1345.** 49.195 (3p) of the statutes is created to read:

6 49.195 **(3p)** The availability of the remedies under subs. (3m) and (3n) does not
7 abridge the right of the department to pursue other remedies.

8 **SECTION 1346.** 49.195 (3r) of the statutes is created to read:

9 49.195 **(3r)** From the appropriation under s. 20.445 (3) (L) the department may
10 contract with or employ a collection agency or other person to enforce a repayment
11 obligation of a person who is found liable under sub. (3) who is delinquent in making
12 repayments.

13 **SECTION 1346c.** 49.195 (3s) of the statutes is created to read:

14 49.195 **(3s)** The department shall specify by rule when requests for reviews,
15 hearings and appeals under this section may be made and the process to be used for
16 the reviews, hearings and appeals. In promulgating the rules, the department shall
17 provide for a hearing or review after a warrant under sub. (3m) has been issued and
18 before the warrant has been executed, before property is levied under sub. (3m) or
19 (3n) and after levied property is seized and before it is sold. The department shall
20 specify by rule the time limit for a request for review or hearing. The department
21 shall also specify by rule a minimum amount that must be due before collection
22 proceedings under this section may be commenced.

23 **SECTION 1347.** 49.20 of the statutes is repealed.

24 **SECTION 1348.** 49.21 of the statutes is repealed.

25 **SECTION 1350m.** 49.23 of the statutes is repealed.

1 **SECTION 1352.** 49.24 (1) of the statutes, as affected by 1997 Wisconsin Act 27,
2 section 1882n, is amended to read:

3 49.24 (1) From the appropriation under s. 20.445 (3) (k), the department shall
4 provide child support incentive payments to counties ~~to offset reduced federal child~~
5 ~~support incentive payments.~~ Total payments under this subsection may not exceed
6 ~~\$3,178,000 in fiscal year 1997–98 or \$3,850,000 in fiscal year 1998–99~~ \$5,690,000 per
7 year.

8 **SECTION 1352f.** 49.24 (2) of the statutes is renumbered 49.24 (2) (a) and
9 amended to read:

10 49.24 (2) (a) The department shall ~~distribute the payments under sub. (1) in~~
11 ~~accordance with a formula developed by the department,~~ in consultation with
12 representatives of counties, promulgate a rule that specifies the formula according
13 to which the payments under sub. (1) and federal child support incentive payments
14 will be distributed to counties. The rule shall provide that the total of state and
15 federal incentive payments per year to a county may not exceed the costs per year
16 of the county's child support program under s. 49.22.

17 **(b)** The total of payments made to counties under sub. (1) and in federal child
18 support incentive payments may not exceed ~~\$10,500,000 in a state fiscal~~ \$12,340,000
19 per year.

20 **SECTION 1352g.** 49.24 (3) of the statutes is amended to read:

21 49.24 (3) A county that receives any state child support incentive payment
22 under sub. (1) or any federal child support incentive payment may use the funds only
23 to pay costs under its child support program under s. 49.22.

24 **SECTION 1353.** 49.25 of the statutes is repealed.

25 **SECTION 1354.** 49.26 (1) (h) 1. as. of the statutes is amended to read:

1 49.26 (1) (h) 1. as. The individual has failed to request a hearing or has failed
2 to show good cause for not cooperating with case management efforts in a hearing.
3 ~~If the individual is a recipient of aid under s. 49.19, the hearing shall be requested~~
4 ~~and held under s. 49.21 (1). If the individual is a member of a Wisconsin works group,~~
5 ~~as defined in s. 49.141 (1) (s), the The hearing shall be requested and held under s.~~
6 49.152. The department shall determine by rule the criteria for good cause.

7 **SECTION 1355.** 49.27 of the statutes is repealed.

8 **SECTION 1355w.** 49.30 (1) (b) of the statutes is amended to read:

9 49.30 (1) (b) The lesser of \$1,000 \$1,500 or the funeral and burial expenses not
10 paid by the estate of the deceased and other persons.

11 **SECTION 1355wb.** 49.30 (1) (b) of the statutes, as affected by 1999 Wisconsin
12 Act (this act), is amended to read:

13 49.30 (1) (b) The lesser of \$1,500 \$2,500 or the funeral and burial expenses not
14 paid by the estate of the deceased and other persons.

15 **SECTION 1356.** 49.30 (1m) (c) of the statutes is created to read:

16 49.30 (1m) (c) If a request for payment under sub. (1) is made more than 12
17 months after the death of the recipient, the county or applicable tribal governing
18 body or organization responsible for burial of the recipient is not required to make
19 a payment for cemetery, funeral or burial expenses.

20 **SECTION 1356m.** 49.33 (1) (b) of the statutes is amended to read:

21 49.33 (1) (b) “Income maintenance program” means aid to families with
22 dependent children under s. 49.19, Wisconsin works under ss. 49.141 to 49.161,
23 ~~medical assistance under subch. IV of ch. 49~~ or the food stamp program under 7 USC
24 2011 to 2029.

25 **SECTION 1356n.** 49.33 (8) (a) of the statutes is amended to read:

1 49.33 **(8)** (a) The department shall reimburse each county for reasonable costs
2 of income maintenance relating to the administration of the programs under this
3 subchapter ~~and subch. IV~~ according to a formula based on workload within the limits
4 of available state and federal funds under s. 20.445 (3) (dz), (md) and (nL) by contract
5 under s. 49.33 (2). The amount of reimbursement calculated under this paragraph
6 and par. (b) is in addition to any reimbursement provided to a county for fraud and
7 error reduction under s. 49.197 (1m) and (4).

8 **SECTION 1357.** 49.36 (2) of the statutes is amended to read:

9 49.36 **(2)** The department may contract with any county or Wisconsin works
10 agency to administer a work experience and job training program for parents who
11 are not custodial parents and who fail to pay child support or to meet their children's
12 needs for support as a result of unemployment or underemployment. The program
13 may provide the kinds of work experience and job training services available from
14 the program under s. 49.193, 1997 stats., or s. 49.147 (3) or (4). The program may
15 also include job search and job orientation activities. The department shall fund the
16 program from the appropriation under s. 20.445 (3) (dz).

17 **SECTION 1358.** 49.36 (3) (g) of the statutes is repealed.

18 **SECTION 1359.** 49.36 (7) of the statutes is amended to read:

19 49.36 **(7)** The department shall pay a county or Wisconsin works agency \$200
20 \$400 for each person who participates in the program under this section in the region
21 in which the county or Wisconsin works agency administers the program under this
22 section. The county or Wisconsin works agency shall pay any additional costs of the
23 program.

24 **SECTION 1360.** 49.37 of the statutes is repealed.

25 **SECTION 1361.** 49.43 (8) of the statutes is amended to read:

1 49.43 **(8)** “Medical assistance” means any services or items under ss. 49.45 to
2 49.47 49.472, except s. 49.472 (6), and under ss. 49.49 to 49.497, or any payment or
3 reimbursement made for such services or items.

4 **SECTION 1361v.** 49.45 (2) (a) 3. of the statutes is amended to read:

5 49.45 **(2)** (a) 3. Determine the eligibility of persons for medical assistance,
6 rehabilitative and social services under ss. 49.46, 49.468 and 49.47 and rules and
7 policies adopted by the department and may designate this function to the county
8 department under s. 46.215, 46.22 or 46.23 or, to the extent permitted by federal law
9 or a waiver from federal secretary of health and human services, to a Wisconsin
10 works agency. Any person who determines eligibility for medical assistance in a
11 location other than in an office of the department or of a county department of human
12 services or of social services shall be permitted to review and update information on
13 existing records of an individual who is seeking from that person an eligibility
14 determination for medical assistance, even if the individual’s case was assigned to
15 a different person as a result of the individual’s seeking or receiving other public
16 assistance.

17 **SECTION 1362.** 49.45 (2) (a) 4. of the statutes is amended to read:

18 49.45 **(2)** (a) 4. To the extent funds are available under s. 20.435 ~~(1)~~ **(4)** (bm),
19 certify all proper charges and claims for administrative services to the department
20 of administration for payment and the department of administration shall draw its
21 warrant forthwith.

22 **SECTION 1371.** 49.45 (2) (a) 17. of the statutes is amended to read:

23 49.45 **(2)** (a) 17. Notify the governor, the joint committee on legislative
24 organization, the joint committee on finance and appropriate standing committees,

1 as determined by the presiding officer of each house, if the appropriation under s.
2 20.435 (5) ~~(4)~~ (b) is insufficient to provide the state share of medical assistance.

3 **SECTION 1373v.** 49.45 (3) (a) of the statutes is amended to read:

4 49.45 (3) (a) Reimbursement shall be made to each county department under
5 ss. 46.215, 46.22 and 46.23 for the administrative services performed in the medical
6 assistance program ~~on the basis of s. 49.33 (8)~~ according to a formula based on
7 workload. For purposes of reimbursement under this paragraph, assessments
8 completed under s. 46.27 (6) (a) are administrative services performed in the medical
9 assistance program.

10 **SECTION 1374.** 49.45 (3) (ag) of the statutes is amended to read:

11 49.45 (3) (ag) Reimbursement shall be made to each entity contracted with
12 under s. ~~46.271 (2m)~~ 46.281 (1) (d) for assessments completed functional screens
13 performed under s. ~~46.271 (2m) (a) 2.~~ 46.281 (1) (d).

14 **SECTION 1375.** 49.45 (3) (am) 1. of the statutes is amended to read:

15 49.45 (3) (am) 1. From the appropriation under s. 20.435 ~~(1)~~ (4) (bm), the
16 department shall make incentive payments to counties to encourage counties to
17 identify medical assistance applicants and recipients who have other health care
18 coverage and the providers of the health care coverage and give that information to
19 the department.

20 **SECTION 1376m.** 49.45 (3) (fm) of the statutes is created to read:

21 49.45 (3) (fm) The department shall seek, on behalf of dentists who are
22 providers, federal reimbursement for the cost of any equipment that the department
23 requires dentists to use to verify medical assistance eligibility electronically. If the
24 department is successful in obtaining federal reimbursement of that expense, the

1 department shall reimburse dentists who are providers for the portion of the cost of
2 the equipment that is reimbursed by the federal government.

3 **SECTION 1381.** 49.45 (3) (j) of the statutes is amended to read:

4 49.45 (3) (j) Reimbursement for administrative contract costs under this
5 section is limited to the funds available under s. 20.435 (1) (4) (bm).

6 **SECTION 1382.** 49.45 (5m) (a) of the statutes is renumbered 49.45 (5m) (am) and
7 amended to read:

8 49.45 (5m) (am) Notwithstanding sub. (3) (e), from the appropriations under
9 s. 20.435 (5) (4) (b) and (o) the department shall distribute not more than \$2,256,000
10 in each fiscal year, to provide supplemental funds to rural hospitals that, as
11 determined by the department, have high utilization of inpatient services by
12 patients whose care is provided from governmental sources, and to provide
13 supplemental funds to critical access hospitals, except that the department may not
14 distribute funds to a rural hospital or to a critical access hospital to the extent that
15 the distribution would exceed any limitation under 42 USC 1396b (i) (3).

16 **SECTION 1383.** 49.45 (5m) (ag) of the statutes is created to read:

17 49.45 (5m) (ag) In this subsection, “critical access hospital” has the meaning
18 given in s. 50.33 (1g).

19 **SECTION 1384.** 49.45 (5m) (b) of the statutes is amended to read:

20 49.45 (5m) (b) The supplemental funding for rural hospitals under par. (a) (am)
21 shall be based on the utilization, by recipients of medical assistance, of the total
22 inpatient days of a rural hospital in relation to that utilization in other rural
23 hospitals.

24 **SECTION 1384g.** 49.45 (5r) of the statutes is created to read:

1 **49.45 (5r)** SUPPLEMENTAL PAYMENTS FOR HOSPITALS. From the appropriations
2 under s. 20.435 (4) (b) and (o), the department shall distribute not more than
3 \$2,451,000 in each fiscal year, beginning on July 1, 2000, as a supplemental payment
4 to a hospital for which medical assistance revenues were at least 8% of the hospital's
5 total revenues in the hospital's most recent fiscal year prior to the year of payment.
6 The department shall calculate a qualifying hospital's supplemental payment
7 amount by multiplying the total amount of medical assistance revenues of all
8 qualifying hospitals in their most recent prior fiscal years by the percentage obtained
9 by dividing the hospital's total medical assistance revenues in the hospital's most
10 recent prior fiscal year by the total amount of medical assistance revenues for all
11 qualifying hospitals for that period.

12 **SECTION 1385.** 49.45 (6b) (intro.) of the statutes is renumbered 49.45 (6b) and
13 amended to read:

14 **49.45 (6b)** CENTERS FOR THE DEVELOPMENTALLY DISABLED. From the
15 appropriation under s. 20.435 (2) (gk), the department may reimburse the cost of
16 services provided by the centers for the developmentally disabled. Reimbursement
17 to the centers for the developmentally disabled shall be reduced following each
18 placement made under s. 46.275 ~~which~~ that involves a relocation from a center for
19 the developmentally disabled, ~~as follows: by \$184 per day, beginning in fiscal year~~
20 1999–2000, and by \$190 per day, beginning in fiscal year 2000–01.

21 **SECTION 1386.** 49.45 (6b) (a) of the statutes is repealed.

22 **SECTION 1387.** 49.45 (6b) (b) of the statutes is repealed.

23 **SECTION 1388.** 49.45 (6b) (c) of the statutes is repealed.

24 **SECTION 1389.** 49.45 (6m) (ag) (intro.) of the statutes is amended to read:

1 49.45 **(6m)** (ag) (intro.) Payment for care provided in a facility under this
2 subsection made under s. 20.435 ~~(1) (p) or (5) (b)~~ (4) (b), (pa) or (o) shall, except as
3 provided in pars. (bg), (bm) and (br), be determined according to a prospective
4 payment system updated annually by the department. The payment system shall
5 implement standards that are necessary and proper for providing patient care and
6 that meet quality and safety standards established under subch. II of ch. 50 and ch.
7 150. The payment system shall reflect all of the following:

8 **SECTION 1390b.** 49.45 (6m) (ag) 3m. of the statutes is amended to read:

9 49.45 **(6m)** (ag) 3m. For state fiscal year ~~1997–98~~ 1999–2000, rates that shall
10 be set by the department based on information from cost reports for the ~~1996~~ 1998
11 fiscal year of the facility and for state fiscal year ~~1998–99~~ 2000–01, rates that shall
12 be set by the department based on information from cost reports for the ~~1997~~ 1999
13 fiscal year of the facility.

14 **SECTION 1391.** 49.45 (6m) (ag) 8. of the statutes is repealed.

15 **SECTION 1392.** 49.45 (6m) (ar) 1. a. of the statutes is amended to read:

16 49.45 **(6m)** (ar) 1. a. The department shall establish standards for payment of
17 allowable direct care costs, for facilities that do not primarily serve the
18 developmentally disabled, that ~~are not less than the median for~~ take into account
19 direct care costs for a sample of all of those facilities in this state and separate
20 standards for payment of allowable direct care costs, for facilities that primarily
21 serve the developmentally disabled, that ~~are not less than the median for~~ take into
22 account direct care costs for a sample of all of those facilities in this state. The
23 standards shall be adjusted by the department for regional labor cost variations.

24 **SECTION 1393.** 49.45 (6m) (ar) 1. cm. of the statutes is amended to read:

1 49.45 **(6m)** (ar) 1. cm. ~~Notwithstanding the limitations under par. (ag) 8.,~~
2 ~~funding~~ Funding distributed to facilities for the provision of active treatment to
3 residents with a diagnosis of developmental disability shall be distributed in
4 accordance with a method developed by the department which is consistent with a
5 prudent buyer approach to payment for services.

6 **SECTION 1394.** 49.45 (6m) (ar) 2. a. of the statutes is amended to read:

7 49.45 **(6m)** (ar) 2. a. The department shall establish one or more standards for
8 the payment of support service costs that ~~are not less than the median of~~ take into
9 account support service costs for a sample of all facilities within the state.

10 **SECTION 1395.** 49.45 (6m) (ar) 3. a. of the statutes is amended to read:

11 49.45 **(6m)** (ar) 3. a. The department shall establish standards, adjusted for
12 heating degree day variations in the state, for payment of fuel and utility costs that
13 ~~are not less than the median of~~ take into account heating fuel and utility costs for a
14 sample of all facilities within the state.

15 **SECTION 1396.** 49.45 (6m) (ar) 4. of the statutes is amended to read:

16 49.45 **(6m)** (ar) 4. For net property taxes or municipal services, payment shall
17 be made for ~~those costs that range from~~ the amount of the previous calendar year's
18 tax or the amount of municipal service costs for a period specified by the department,
19 subject to a maximum limit as determined by the department.

20 **SECTION 1397.** 49.45 (6m) (ar) 5. a. of the statutes is amended to read:

21 49.45 **(6m)** (ar) 5. a. The department shall establish one or more standards for
22 the payment of administrative and general costs that ~~are not less than the median~~
23 ~~of~~ take into account administrative and general costs for a sample of all facilities
24 within the state.

25 **SECTION 1398.** 49.45 (6m) (ar) 6. of the statutes is amended to read:

1 49.45 **(6m)** (ar) 6. Capital payment shall be based on a replacement value for
2 a facility. The replacement value shall be determined by a commercial estimator
3 contracted for by the department and paid for by the facility. The replacement value
4 shall be subject to limitations determined by the department, ~~except that the~~
5 ~~department may not reduce final capital payment of a facility by more than \$3.50 per~~
6 ~~patient day.~~

7 **SECTION 1399.** 49.45 (6m) (av) 1. of the statutes is amended to read:

8 49.45 **(6m)** (av) 1. The department shall calculate a payment rate for a facility
9 by applying the criteria set forth under pars. (ag) 1. to 5., and 7. ~~and 8.~~, (am) 1. to 5.
10 and (ar) 1. to 5. to information from cost reports submitted by the facility.

11 **SECTION 1400.** 49.45 (6m) (av) 5m. of the statutes is amended to read:

12 49.45 **(6m)** (av) 5m. ~~Notwithstanding the limitations under par. (ag) 8., the~~ The
13 rate under subd. 1., 4. or 5. may be adjusted by the department to reflect payments
14 for the provision of active treatment to facility residents with a diagnosis of
15 developmental disability.

16 **SECTION 1401.** 49.45 (6m) (bp) (intro.) of the statutes is amended to read:

17 49.45 **(6m)** (bp) (intro.) ~~Notwithstanding pars. (ag) 3m., (am) 6. and (ar) 6., the~~
18 department may establish payment methods based on actual costs for capital
19 payment for a facility to which, after December 31, 1982, any of the following applies:

20 **SECTION 1402.** 49.45 (6m) (br) 1. of the statutes is amended to read:

21 49.45 **(6m)** (br) 1. ~~Notwithstanding s. 20.410 (3) (cd), 20.435 (5) (4) (bt) or (bu)~~
22 ~~or (7) (b) or 20.445 (3) (dz), the department shall reduce allocations of funds to~~
23 ~~counties in the amount of the disallowance from the appropriation account under s.~~
24 ~~20.435 (5) (4) (bt) or (bu) or (7) (b), or the department shall direct the department of~~
25 ~~workforce development to reduce allocations of funds to counties or Wisconsin works~~

1 agencies in the amount of the disallowance from the appropriation account under s.
2 20.445 (3) (dz) or direct the department of corrections to reduce allocations of funds
3 to counties in the amount of the disallowance from the appropriation account under
4 s. 20.410 (3) (cd), in accordance with s. 16.544 to the extent applicable.

5 **SECTION 1403.** 49.45 (6m) (c) 5. of the statutes is amended to read:

6 49.45 (6m) (c) 5. Admit only patients assessed or who waive or are exempt from
7 the requirement of assessment under s. 46.27 (6) (a) or, if required under s. 50.035
8 (4n) or 50.04 (2h), who have been referred to a resource center.

9 **SECTION 1404.** 49.45 (6t) (intro.) of the statutes is amended to read:

10 49.45 (6t) COUNTY DEPARTMENT AND LOCAL HEALTH DEPARTMENT OPERATING
11 DEFICIT REDUCTION. (intro.) From the appropriation under s. 20.435 (5) (4) (o), for
12 reduction of operating deficits, as defined under criteria developed by the
13 department, incurred by a county department under s. 46.215, 46.22, 46.23 or 51.42
14 or by a local health department, as defined in s. 250.01 (4), for services provided
15 under s. 49.46 (2) (a) 4. d. and (b) 6. f., j., k. and L., 9. and 15., for case management
16 services under s. 49.46 (2) (b) 12. and for mental health day treatment services for
17 minors provided under the authorization under 42 USC 1396d (r) (5), the department
18 shall allocate up to \$4,500,000 in each fiscal year to these county departments, or
19 local health departments as determined by the department, and shall perform all of
20 the following:

21 **SECTION 1405.** 49.45 (6t) (d) of the statutes is amended to read:

22 49.45 (6t) (d) If the federal department of health and human services approves
23 for state expenditure in a fiscal year amounts under s. 20.435 (5) (4) (o) that result
24 in a lesser allocation amount than that allocated under this subsection or disallows

1 use of the allocation of federal medicaid funds under par. (c), reduce allocations under
2 this subsection and distribute on a prorated basis, as determined by the department.

3 **SECTION 1406.** 49.45 (6u) (intro.) of the statutes is amended to read:

4 49.45 **(6u)** SUPPLEMENTAL PAYMENTS TO CERTAIN FACILITIES. (intro.)

5 Notwithstanding sub. (6m), from the appropriation under s. 20.435 ~~(5)~~ (4) (o), for
6 reduction of operating deficits, as defined under criteria developed by the
7 department, incurred by a facility, as defined under sub. (6m) (a) 3., that is
8 established under s. 49.70 (1) or that is owned and operated by a city, village or town,
9 the department may not distribute to these facilities more than \$38,600,000 in each
10 fiscal year, as determined by the department, except that the department shall also
11 distribute for this same purpose from the appropriation under s. 20.435 ~~(5)~~ (4) (o) any
12 additional federal medical assistance moneys that were not anticipated before
13 enactment of the biennial budget act or other legislation affecting s. 20.435 ~~(5)~~ (4) (o)
14 ~~and that were not used to fund nursing home rate increases under sub. (6m) (ag) 8.~~
15 The total amount that a county certifies under this subsection may not exceed 100%
16 of otherwise-unreimbursed care. In distributing funds under this subsection, the
17 department shall perform all of the following:

18 **SECTION 1407.** 49.45 (6u) (d) of the statutes is amended to read:

19 49.45 **(6u)** (d) If the federal department of health and human services approves
20 for state expenditure in a fiscal year amounts under s. 20.435 ~~(5)~~ (4) (o) that result
21 in a lesser allocation amount than that allocated under this subsection, allocate not
22 more than the lesser amount so approved by the federal department of health and
23 human services.

24 **SECTION 1408.** 49.45 (6u) (e) of the statutes is amended to read:

1 49.45 **(6u)** (e) If the federal department of health and human services approves
2 for state expenditure in a fiscal year amounts under s. 20.435 ~~(5)~~ (4) (o) that result
3 in a lesser allocation amount than that allocated under this subsection, submit a
4 revision of the method developed under par. (b) for approval by the joint committee
5 on finance in that state fiscal year.

6 **SECTION 1409.** 49.45 (6v) (b) of the statutes is amended to read:

7 49.45 **(6v)** (b) The department shall, each year, submit to the joint committee
8 on finance a report for the previous fiscal year, except for the 1997–98 fiscal year, that
9 provides information on the utilization of beds by recipients of medical assistance in
10 facilities and a discussion and detailed projection of the likely balances,
11 expenditures, encumbrances and carry over of currently appropriated amounts in
12 the appropriation accounts under s. 20.435 (4) (b) and (o).

13 **SECTION 1410.** 49.45 (6v) (c) of the statutes is amended to read:

14 49.45 **(6v)** (c) If the report specified in par. (b) indicates that utilization of beds
15 by recipients of medical assistance in facilities decreased is less than estimates for
16 that utilization reflected in the intentions of the joint committee on finance,
17 legislature and governor, as expressed by them in the budget determinations, the
18 department shall include a proposal to transfer moneys from the appropriation
19 under s. 20.435 ~~(5)~~ (4) (b) to the appropriation under s. 20.435 (7) (bd) for the purpose
20 of increasing funding for the community options program under s. 46.27. The
21 amount proposed for transfer may not reduce the balance in the appropriation
22 account under s. 20.435 (4) (b) below an amount necessary to ensure that that
23 appropriation account will end the current fiscal year or the current fiscal biennium
24 with a positive balance. The secretary shall transfer the amount identified under the
25 proposal.

1 **SECTION 1411.** 49.45 (6w) (intro.) of the statutes is amended to read:

2 49.45 **(6w)** HOSPITAL OPERATING DEFICIT REDUCTION. (intro.) From the
3 appropriation under s. 20.435 ~~(5)~~ (4) (o), for reduction of operating deficits, as defined
4 under criteria developed by the department, incurred by a hospital, as defined under
5 s. 50.33 (2) (a) and (b), that is operated by the state, established under s. 49.71 or
6 owned and operated by a city or village, the department shall allocate up to
7 \$3,300,000 in each fiscal year to these hospitals, as determined by the department,
8 and shall perform all of the following:

9 **SECTION 1412.** 49.45 (6w) (d) of the statutes is amended to read:

10 49.45 **(6w)** (d) If the federal department of health and human services approves
11 for state expenditure in a fiscal year amounts under s. 20.435 ~~(5)~~ (4) (o) that result
12 in a lesser allocation amount than that allocated under this subsection or disallows
13 use of the allocation of federal medicaid funds under par. (c), reduce allocations under
14 this subsection and distribute on a prorated basis, as determined by the department.

15 **SECTION 1413.** 49.45 (6x) (a) of the statutes is amended to read:

16 49.45 **(6x)** (a) Notwithstanding sub. (3) (e), from the appropriations under s.
17 20.435 ~~(5)~~ (4) (b) and (o) the department shall distribute not more than \$4,748,000
18 in each fiscal year, to provide funds to an essential access city hospital, except that
19 the department may not allocate funds to an essential access city hospital to the
20 extent that the allocation would exceed any limitation under 42 USC 1396b (i) (3).

21 **SECTION 1414.** 49.45 (6x) (d) of the statutes is amended to read:

22 49.45 **(6x)** (d) If the federal department of health and human services approves
23 for state expenditure in any state fiscal year amounts under s. 20.435 ~~(5)~~ (4) (o) that
24 result in a lesser distribution amount than that distributed under this subsection or

1 disallows use of federal medicaid funds under par. (a), the department of health and
2 family services shall reduce the distributions under this subsection.

3 **SECTION 1415.** 49.45 (6y) (a) of the statutes is amended to read:

4 49.45 **(6y)** (a) Notwithstanding sub. (3) (e), from the appropriations under s.
5 20.435 ~~(5)~~ (4) (b) and (o) the department shall distribute funding in each fiscal year
6 to provide supplemental payment to hospitals that enter into a contract under s.
7 49.02 (2) to provide health care services funded by a relief block grant, as determined
8 by the department, for hospital services that are not in excess of the hospitals'
9 customary charges for the services, as limited under 42 USC 1396b (i) (3). If no relief
10 block grant is awarded under this chapter or if the allocation of funds to such
11 hospitals would exceed any limitation under 42 USC 1396b (i) (3), the department
12 may distribute funds to hospitals that have not entered into a contract under s. 49.02
13 (2).

14 **SECTION 1416.** 49.45 (6y) (am) of the statutes is created to read:

15 49.45 **(6y)** (am) Notwithstanding sub. (3) (e), from the appropriations under s.
16 20.435 (4) (b), (h) and (o) the department shall distribute funding in each fiscal year
17 to provide supplemental payments to hospitals that enter into contracts under s.
18 49.02 (2) with a county having a population of 500,000 or more to provide health care
19 services funded by a relief block grant, as determined by the department, for hospital
20 services that are not in excess of the hospitals' customary charges for the services,
21 as limited under 42 USC 1396b (i) (3).

22 **SECTION 1417.** 49.45 (6y) (b) of the statutes is amended to read:

23 49.45 **(6y)** (b) The department need not promulgate as rules under ch. 227 the
24 procedures, methods of distribution and criteria required for distribution under ~~par.~~
25 pars. (a) and (am).

1 **SECTION 1418.** 49.45 (6z) (a) (intro.) of the statutes is amended to read:

2 49.45 **(6z)** (a) (intro.) Notwithstanding sub. (3) (e), from the appropriations
3 under s. 20.435 ~~(5)~~ (4) (b) and (o) the department shall distribute funding in each
4 fiscal year to supplement payment for services to hospitals that enter into a contract
5 under s. 49.02 (2) to provide health care services funded by a relief block grant under
6 this chapter, if the department determines that the hospitals serve a
7 disproportionate number of low-income patients with special needs. If no medical
8 relief block grant under this chapter is awarded or if the allocation of funds to such
9 hospitals would exceed any limitation under 42 USC 1396b (i) (3), the department
10 may distribute funds to hospitals that have not entered into a contract under s. 49.02
11 (2). The department may not distribute funds under this subsection to the extent
12 that the distribution would do any of the following:

13 **SECTION 1418m.** 49.45 (7) (a) of the statutes is amended to read:

14 49.45 **(7)** (a) A recipient who is a patient in a public medical institution or an
15 accommodated person and has a monthly income exceeding the payment rates
16 established under 42 USC 1382 (e) may retain \$40 \$45 unearned income or the
17 amount of any pension paid under 38 USC 3203 (f), whichever is greater, per month
18 for personal needs. Except as provided in s. 49.455 (4) (a), the recipient shall apply
19 income in excess of \$40 \$45 or the amount of any pension paid under 38 USC 3203
20 (f), whichever is greater, less any amount deducted under rules promulgated by the
21 department, toward the cost of care in the facility.

22 **SECTION 1419.** 49.45 (8) (b) of the statutes is amended to read:

23 49.45 **(8)** (b) Reimbursement under s. 20.435 ~~(5)~~ (4) (b) and (o) for home health
24 services provided by a certified home health agency or independent nurse shall be
25 made at the home health agency's or nurse's usual and customary fee per patient care

1 visit, subject to a maximum allowable fee per patient care visit that is established
2 under par. (c).

3 **SECTION 1424m.** 49.45 (22) of the statutes is amended to read:

4 49.45 (22) MEDICAL ASSISTANCE SERVICES PROVIDED BY HEALTH MAINTENANCE
5 ORGANIZATIONS. If the department contracts with health maintenance organizations
6 for the provision of medical assistance it shall give special consideration to health
7 maintenance organizations that provide or that contract to provide comprehensive,
8 specialized health care services to pregnant teenagers. If the department contracts
9 with health maintenance organizations for the provision of medical assistance, the
10 department shall determine which medical assistance recipients who have attained
11 the age of 2 but have not attained the age of 6 and who are at risk for lead poisoning
12 have not received lead screening from those health maintenance organizations. The
13 department shall report annually to the appropriate standing committees of the
14 legislature under s. 13.172 (3) on the percentage of medical assistance recipients
15 under the age of 2 who received a lead screening test in that year provided by a health
16 maintenance organization compared with the percentage that the department set as
17 a goal for that year.

18 **SECTION 1426.** 49.45 (24m) (intro.) of the statutes is amended to read:

19 49.45 (24m) HOME HEALTH CARE AND PERSONAL CARE PILOT PROGRAM. (intro.)
20 From the appropriations under s. 20.435 (5) (4) (b) and (o), in order to test the
21 feasibility of instituting a system of reimbursement for providers of home health care
22 and personal care services for medical assistance recipients that is based on
23 competitive bidding, the department shall:

24 **SECTION 1427g.** 49.45 (39) (a) 1. of the statutes is amended to read:

1 49.45 (39) (a) 1. “School” means a public school described under s. 115.01 (1)
2 ~~or, a charter school, as defined in s. 115.001 (1), the Wisconsin Center for the Blind~~
3 and Visually Impaired or the Wisconsin School for the Deaf. It includes
4 school-operated early childhood programs for developmentally delayed and disabled
5 4-year-old and 5-year-old children.

6 **SECTION 1427h.** 49.45 (39) (am) of the statutes is amended to read:

7 49.45 (39) (am) *Plan amendment.* No later than September 30, 1995, the
8 department shall submit to the federal department of health and human services an
9 amendment to the state medical assistance plan to permit the application of pars. (b)
10 ~~to~~ and (c). If the amendment to the state plan is approved, school districts ~~and,~~
11 cooperative educational service agencies and the department of public instruction on
12 behalf of the Wisconsin Center for the Blind and Visually Impaired and the
13 Wisconsin School for the Deaf claim reimbursement under pars. (b) ~~to~~ and (c).
14 Paragraphs (b) ~~to~~ and (c) do not apply unless the amendment to the state plan is
15 approved and in effect. The department shall submit to the federal department of
16 health and human services an amendment to the state plan if necessary to permit
17 the application of pars. (b) and (c) to the Wisconsin Center for the Blind and Visually
18 Impaired and the Wisconsin School for the Deaf.

19 **SECTION 1427i.** 49.45 (39) (b) of the statutes is renumbered 49.45 (39) (b) 1. and
20 amended to read:

21 49.45 (39) (b) 1. ‘Payment for school medical services.’ If a school district or a
22 cooperative educational service agency elects to provide school medical services and
23 meets all requirements under par. (c), the department shall reimburse the school
24 district or the cooperative educational service agency for 60% of the federal share of
25 allowable charges for the school medical services that it provides and, as specified

1 in subd. 2., for allowable administrative costs. If the Wisconsin Center for the Blind
2 and Visually Impaired or the Wisconsin School for the Deaf elects to provide school
3 medical services and meets all requirements under par. (c), the department shall
4 reimburse the department of public instruction for 60% of the federal share of
5 allowable charges for the school medical services that the Wisconsin Center for the
6 Blind and Visually Impaired or the Wisconsin School for the Deaf provides and, as
7 specified in subd. 2., for allowable administrative costs. A school district, cooperative
8 educational service agency, the Wisconsin Center for the Blind and Visually
9 Impaired or the Wisconsin School for the Deaf may submit, and the department shall
10 allow, claims for common carrier transportation costs as a school medical service
11 unless the department receives notice from the federal health care financing
12 administration that, under a change in federal policy, the claims are not allowed. If
13 the department receives the notice, a school district, cooperative educational service
14 agency, the Wisconsin Center for the Blind and Visually Impaired or the Wisconsin
15 School for the Deaf may submit, and the department shall allow, unreimbursed
16 claims for common carrier transportation costs incurred before the date of the change
17 in federal policy. The department shall promulgate rules establishing a methodology
18 for making reimbursements under this paragraph. All other expenses for the school
19 medical services provided by a school district or a cooperative educational service
20 agency shall be paid for by the school district or the cooperative educational service
21 agency with funds received from state or local taxes. The school district, the
22 Wisconsin Center for the Blind and Visually Impaired, the Wisconsin School for the
23 Deaf or the cooperative educational service agency shall comply with all
24 requirements of the federal department of health and human services for receiving
25 federal financial participation.

1 **SECTION 1427j.** 49.45 (39) (b) 2. of the statutes is created to read:

2 49.45 **(39)** (b) 2. ‘Payment for school medical services administrative costs.’ The
3 department shall reimburse a school district or a cooperative educational service
4 agency specified under subd. 1. and shall reimburse the department of public
5 instruction on behalf of the Wisconsin Center for the Blind and Visually Impaired or
6 the Wisconsin School for the Deaf for 90% of the federal share of allowable
7 administrative costs, on a quarterly basis, using time studies, beginning in the first
8 quarter of fiscal year 1999–2000. A school district or a cooperative education service
9 agency may submit, and the department of health and family services shall allow,
10 claims for administrative costs incurred during the period that is up to 24 months
11 before the date of the claim, if allowable under federal law.

12 **SECTION 1428.** 49.45 (46) of the statutes is created to read:

13 49.45 **(46)** ALCOHOL AND OTHER DRUG ABUSE RESIDENTIAL TREATMENT SERVICES. (a)
14 If a county, city, town or village elects to become certified as a provider of alcohol and
15 other drug abuse residential treatment services or to contract with a certified
16 provider to provide the services, the county, city, town or village may provide directly
17 or under contract alcohol and other drug abuse residential treatment services in
18 facilities with fewer than 16 beds under this subsection in the county, city, town or
19 village to medical assistance recipients through the medical assistance program. A
20 county, city, town or village that elects to provide or to contract for the services shall
21 pay the amount of the allowable charges for the services under the medical
22 assistance program that is not provided by the federal government. The department
23 shall reimburse the county, city, town or village under this subsection only for the
24 amount of the allowable charges for those services under the medical assistance
25 program that is provided by the federal government.

1 (b) This subsection does not apply after July 1, 2003.

2 **SECTION 1429.** 49.45 (47) of the statutes is created to read:

3 49.45 **(47)** ADULT DAY CARE CENTERS. (a) In this subsection, “adult day care
4 center” means an entity that provides services for part of a day in a group setting to
5 adults who need an enriched health–supportive or social experience and who may
6 need assistance with activities of daily living, supervision or protection.

7 (b) No person may receive reimbursement under s. 46.27 (11) for the provision
8 of services to clients in an adult day care center unless the adult day care center is
9 certified by the department under sub. (2) (a) 11. as a provider of medical assistance.

10 (c) The biennial fee for the certification required under par. (b) of an adult day
11 care center is \$89, plus a biennial fee of \$17.80 per client, based on the number of
12 clients that the adult day care center is certified to serve. Fees collected under this
13 paragraph shall be credited to the appropriation account under s. 20.435 (6) (jm).

14 (d) The department, by rule, may increase any fee specified in par. (c).

15 **SECTION 1430.** 49.453 (4) (title) of the statutes is amended to read:

16 49.453 **(4)** (title) IRREVOCABLE ANNUITIES, PROMISSORY NOTES AND SIMILAR
17 TRANSFERS.

18 **SECTION 1431.** 49.453 (4) (a) of the statutes is renumbered 49.453 (4) (a) (intro.)
19 and amended to read:

20 49.453 **(4)** (a) (intro.) For the purposes of sub. (2), whenever a covered
21 individual or his or her spouse, or another person acting on behalf of the covered
22 individual or his or her spouse, transfers assets to an irrevocable annuity, or
23 transfers assets by promissory note or similar instrument, in an amount that exceeds
24 the expected value of the benefit, the covered individual or his or her spouse transfers
25 assets for less than fair market value. A transfer to an annuity, or a transfer by

1 promissory note or similar instrument, is not in excess of the expected value only if
2 all of the following are true:

3 **SECTION 1432.** 49.453 (4) (a) 1. and 2. of the statutes are created to read:

4 49.453 (4) (a) 1. a. The periodic payments back to the transferor include
5 principal and interest that, at the time that the transfer is made, is at least at one
6 of the following:

7 a. For an annuity, promissory note or similar instrument that is not specified
8 under subd. 1. b. or par. (am), the applicable federal rate required under section 1274
9 (d) of the Internal Revenue Code, as defined in s. 71.01 (6).

10 b. For an annuity with a guaranteed life payment, the appropriate average of
11 the applicable federal rates based on the expected length of the annuity minus 1.5%.

12 2. The terms of the instrument provide for a payment schedule that includes
13 equal periodic payments, except that payments may be unequal if the interest
14 payments are tied to an interest rate and the inequality is caused exclusively by
15 fluctuations in that rate.

16 **SECTION 1432g.** 49.453 (4) (am) of the statutes is created to read:

17 49.453 (4) (am) Paragraph (a) 1. does not apply to a variable annuity that is
18 tied to a mutual fund that is registered with the federal securities and exchange
19 commission.

20 **SECTION 1433.** 49.453 (4) (c) of the statutes is amended to read:

21 49.453 (4) (c) The department shall promulgate rules specifying the method to
22 be used in calculating the expected value of the benefit, based on 26 CFR 1.72–1 to
23 1.72–18, and specifying the criteria for adjusting the expected value of the benefit
24 based on a medical condition diagnosed by a physician before the assets were
25 transferred to the annuity, or transferred by promissory note or similar instrument.

1 In calculating the amount of the divestment when a transfer to an annuity, or a
2 transfer by promissory note or similar instrument, is made, payments made to the
3 transferor in any year subsequent to the year in which the transfer was made shall
4 be discounted to the year in which the transfer was made by the applicable federal
5 rate specified under par. (a) on the date of the transfer.

6 **SECTION 1433t.** 49.46 (1) (a) 1m. of the statutes is amended to read:

7 49.46 (1) (a) 1m. Any pregnant woman who meets the resource and income
8 limits under s. 49.19 (4) ~~(b)~~ and (es) and whose pregnancy is medically verified.
9 Eligibility continues to the last day of the month in which the 60th day after the last
10 day of the pregnancy falls.

11 **SECTION 1433tm.** 49.46 (1) (a) 6. of the statutes is amended to read:

12 49.46 (1) (a) 6. Any person not described in pars. (c) to (e) who is, without regard
13 to the individual's resources, would be considered, under federal law, to be receiving
14 aid to families with dependent children for the purpose of determining eligibility for
15 medical assistance.

16 **SECTION 1433u.** 49.46 (1) (a) 12. of the statutes is amended to read:

17 49.46 (1) (a) 12. Any child not described under subd. 1. who is under 19 years
18 of age and who meets the resource and income limits under s. 49.19 (4) (es).

19 **SECTION 1433v.** 49.46 (1) (a) 14m. of the statutes is created to read:

20 49.46 (1) (a) 14m. Any person who would meet the financial and other eligibility
21 requirements for home or community-based services under the family care benefit
22 but for the fact that the person engages in substantial gainful activity under 42 USC
23 1382c (a) (3), if a waiver under s. 46.281 (1) (c) is in effect or federal law permits
24 federal financial participation for medical assistance coverage of the person and if
25 funding is available for the person under the family care benefit.

1 **SECTION 1433x.** 49.46 (1) (a) 16. of the statutes is amended to read:

2 49.46 (1) (a) 16. Any ~~child~~ person who is living with a relative who is eligible
3 to receive payments under s. 48.57 (3m) ~~or~~, (3n) or (3o) with respect to that ~~child~~
4 person, if the department determines that no other insurance is available to the ~~child~~
5 person.

6 **SECTION 1434.** 49.46 (1p) of the statutes is created to read:

7 49.46 (1p) DEMONSTRATION PROJECT FOR PERSONS WITH HIV. The department
8 shall request a waiver from the secretary of the federal department of health and
9 human services to allow the department to provide under this section coverage of
10 services specified under sub. (2) for persons who have HIV infection, as defined in s.
11 252.01 (2). If a waiver is granted and in effect, the department shall provide coverage
12 for the services specified under sub. (2) for persons who qualify under the terms of
13 the waiver.

14 **SECTION 1435.** 49.46 (2) (b) 8. of the statutes is amended to read:

15 49.46 (2) (b) 8. Home or community–based services, if provided under s. 46.27
16 (11), 46.275, 46.277 or 46.278 or under the family care benefit if a waiver is in effect
17 under s. 46.281 (1) (c).

18 **SECTION 1437.** 49.46 (2) (b) 18. of the statutes is created to read:

19 49.46 (2) (b) 18. Alcohol or other drug abuse residential treatment services of
20 no more than 45 days per treatment episode, under s. 49.45 (46). This subdivision
21 does not apply after July 1, 2003.

22 **SECTION 1437m.** 49.47 (4) (a) 1. of the statutes is amended to read:

23 49.47 (4) (a) 1. ~~Under 18~~ At least 19 years of age but under 21 years of age ~~or,~~
24 if and the person resides in an intermediate care facility, skilled nursing facility or
25 inpatient psychiatric hospital, ~~under 21 years of age.~~

1 **SECTION 1437n.** 49.47 (4) (a) 2. of the statutes is renumbered 49.47 (4) (ag) 2.

2 **SECTION 1437p.** 49.47 (4) (ag) (intro.) of the statutes is created to read:

3 49.47 (4) (ag) (intro.) Any individual who meets the limitations on income
4 under par. (c) and who complies with par. (cm) shall be eligible for medical assistance
5 under this section if such individual is:

6 **SECTION 1437q.** 49.47 (4) (ag) 1. of the statutes is created to read:

7 49.47 (4) (ag) 1. Under the age of 19.

8 **SECTION 1438.** 49.47 (4) (as) 1. of the statutes is amended to read:

9 49.47 (4) (as) 1. The person would meet the financial and other eligibility
10 requirements for home or community–based services under s. 46.27 (11) or 46.277
11 or under the family care benefit if a waiver is in effect under s. 46.281 (1) (c) but for
12 the fact that the person engages in substantial gainful activity under 42 USC 1382c
13 (a) (3).

14 **SECTION 1439.** 49.47 (4) (as) 3. of the statutes is amended to read:

15 49.47 (4) (as) 3. Funding is available for the person under s. 46.27 (11) or 46.277
16 or under the family care benefit if a waiver is in effect under s. 46.281 (1) (c).

17 **SECTION 1439g.** 49.47 (4) (b) 2m. a. of the statutes is amended to read:

18 49.47 (4) (b) 2m. a. For persons who are eligible under par. (a) 1. ~~or 2.~~, one
19 vehicle is exempt from consideration as an asset. A 2nd vehicle is exempt from
20 consideration as an asset only if the department determines that it is necessary for
21 the purpose of employment or to obtain medical care. The equity value of any
22 nonexempt vehicles owned by the applicant is an asset for the purposes of
23 determining eligibility for medical assistance under this section.

24 **SECTION 1439m.** 49.47 (4) (cm) 3. of the statutes is created to read:

1 49.47 **(4)** (cm) 3. An individual who is otherwise eligible under this subsection
2 and who has set aside funds in an irrevocable burial trust under s. 445.125 (1) (a) 2.
3 shall, as a condition of eligibility for medical assistance, specify the state as a
4 secondary beneficiary of the trust with respect to all funds in the trust that exceed
5 the burial costs but do not exceed the amount of medical assistance paid on behalf
6 of the individual.

7 **SECTION 1439q.** 49.47 (6) (a) 7. of the statutes is amended to read:

8 49.47 **(6)** (a) 7. Beneficiaries eligible under sub. (4) ~~(a) 2.~~ (ag) 2. or (am) 1., for
9 services under s. 49.46 (2) (a) and (b) that are related to pregnancy, including
10 postpartum services and family planning services, as defined in s. 253.07 (1) (b), or
11 related to other conditions which may complicate pregnancy.

12 **SECTION 1440.** 49.472 of the statutes is created to read:

13 **49.472 Medical assistance purchase plan. (1) DEFINITIONS.** In this section:

14 (a) “Earned income” has the meaning given in 42 USC 1382a (a) (1).

15 (am) “Family” means an individual, the individual’s spouse and any dependent
16 child, as defined in s. 49.141 (1) (c), of the individual.

17 (b) “Health insurance” means surgical, medical, hospital, major medical or
18 other health service coverage, including a self-insured health plan, but does not
19 include hospital indemnity policies or ancillary coverages such as income
20 continuation, loss of time or accident benefits.

21 (c) “Independence account” means an account approved by the department that
22 consists solely of savings, and dividends or other gains derived from those savings,
23 from income earned from paid employment after the initial date that an individual
24 began receiving medical assistance under this section.

1 (d) “Medical assistance purchase plan” means medical assistance, eligibility for
2 which is determined under this section.

3 (e) “Unearned income” has the meaning given in 42 USC 1382a (a) (2).

4 **(2) WAIVERS AND AMENDMENTS.** The department shall submit to the federal
5 department of health and human services an amendment to the state medical
6 assistance plan, and shall request any necessary waivers from the secretary of the
7 federal department of health and human services, to permit the department to
8 expand medical assistance eligibility as provided in this section. If the state plan
9 amendment and all necessary waivers are approved and in effect, the department
10 shall implement the medical assistance eligibility expansion under this section not
11 later than January 1, 2000, or 3 months after full federal approval, whichever is
12 later.

13 **(3) ELIGIBILITY.** Except as provided in sub. (6) (a), an individual is eligible for
14 and shall receive medical assistance under this section if all of the following
15 conditions are met:

16 (a) The individual’s family’s net income is less than 250% of the poverty line for
17 a family the size of the individual’s family. In calculating the net income, the
18 department shall apply all of the exclusions specified under 42 USC 1382a (b).

19 (b) The individual’s assets do not exceed \$15,000. In determining assets, the
20 department may not include assets that are excluded from the resource calculation
21 under 42 USC 1382b (a) or assets accumulated in an independence account. The
22 department may exclude, in whole or in part, the value of a vehicle used by the
23 individual for transportation to paid employment.

24 (c) The individual would be eligible for supplemental security income for
25 purposes of receiving medical assistance but for evidence of work, attainment of the

1 substantial gainful activity level, earned income and unearned income in excess of
2 the limit established under 42 USC 1396d (q) (2) (B) and (D).

3 (e) The individual is legally able to work in all employment settings without
4 a permit under s. 103.70.

5 (f) The individual maintains premium payments calculated by the department
6 in accordance with sub. (4), unless the individual is exempted from premium
7 payments under sub. (4) (b) or (5).

8 (g) The individual is engaged in gainful employment or is participating in a
9 program that is certified by the department to provide health and employment
10 services that are aimed at helping the individual achieve employment goals.

11 (h) The individual meets all other requirements established by the department
12 by rule.

13 **(4) PREMIUMS.** (a) Except as provided in par. (b) and sub. (5), an individual who
14 is eligible for medical assistance under sub. (3) and receives medical assistance shall
15 pay a monthly premium to the department. The department shall establish the
16 monthly premiums by rule in accordance with the following guidelines:

17 1. The premium for any individual may not exceed the sum of the following:

18 a. Three and one-half percent of the individual's earned income after the
19 disregards specified in subd. 2m.

20 b. One hundred percent of the individual's unearned income after the
21 deductions specified in subd. 2.

22 2. In determining an individual's unearned income under subd. 1., the
23 department shall disregard all of the following:

24 a. A maintenance allowance established by the department by rule. The
25 maintenance allowance may not be less than the sum of \$20, the federal

1 supplemental security income payment level determined under 42 USC 1382 (b) and
2 the state supplemental payment determined under s. 49.77 (2m).

3 b. Medical and remedial expenses and impairment–related work expenses.

4 2m. If the disregards under subd. 2. exceed the unearned income against which
5 they are applied, the department shall disregard the remainder in calculating the
6 individual’s earned income.

7 3. The department may reduce the premium by 25% for an individual who is
8 covered by private health insurance.

9 (b) The department may waive monthly premiums that are calculated to be
10 below \$10 per month. The department may not assess a monthly premium for any
11 individual whose income level, after adding the individual’s earned income and
12 unearned income, is below 150% of the poverty line.

13 **(5) COMMUNITY OPTIONS PARTICIPANTS.** From the appropriation under s. 20.435
14 (7) (bd), the department may pay all or a portion of the monthly premium calculated
15 under sub. (4) (a) for an individual who is a participant in the community options
16 program under s. 46.27 (11).

17 **(6) INSURED PERSONS.** (a) Notwithstanding sub. (4) (a) 3., from the
18 appropriation under s. 20.435 (4) (b), the department shall, on the part of an
19 individual who is eligible for medical assistance under sub. (3), pay premiums for or
20 purchase individual coverage offered by the individual’s employer if the department
21 determines that paying the premiums for or purchasing the coverage will not be more
22 costly than providing medical assistance.

23 (b) If federal financial participation is available, from the appropriation under
24 s. 20.435 (4) (b), the department may pay medicare Part A and Part B premiums for
25 individuals who are eligible for medicare and for medical assistance under sub. (3).

1 **(7) DEPARTMENT DUTIES.** The department shall do all of the following:

2 (a) Determine eligibility, or contract with a county department, as defined in
3 49.45 (6c) (a) 3., or with a tribal governing body to determine eligibility, of individuals
4 for the medical assistance purchase plan in accordance with sub. (3).

5 (b) Ensure, to the extent practicable, continuity of care for a medical assistance
6 recipient under this section who is engaged in paid employment, or is enrolled in a
7 home-based or community-based waiver program under section 1915 (c) of the
8 Social Security Act, and who becomes ineligible for medical assistance.

9 **SECTION 1441.** 49.475 (5) of the statutes is amended to read:

10 49.475 **(5) REIMBURSEMENT OF COSTS.** From the appropriations under s. 20.435
11 ~~(1) (4)~~ (bm) and ~~(p) (pa)~~, the department shall reimburse an insurer that provides
12 information under this section for the insurer's reasonable costs incurred in
13 providing the requested information, including its reasonable costs, if any, to develop
14 and operate automated systems specifically for the disclosure of information under
15 this section.

16 **SECTION 1441g.** 49.48 (1) of the statutes is amended to read:

17 49.48 **(1)** The Except as provided in sub. (1m), the department shall require
18 each applicant to provide the department with the applicant's social security
19 number, if the applicant is an individual, as a condition of issuing or renewing a
20 certification under s. 49.45 (2) (a) 11. as an eligible provider of services.

21 **SECTION 1441h.** 49.48 (1m) of the statutes is created to read:

22 49.48 **(1m)** If an individual who applies for or to renew a certification under
23 sub. (1) does not have a social security number, the individual, as a condition of
24 obtaining the certification, shall submit a statement made or subscribed under oath
25 or affirmation to the department that the applicant does not have a social security

1 number. The form of the statement shall be prescribed by the department of
2 workforce development. A certification issued or renewed in reliance upon a false
3 statement submitted under this subsection is invalid.

4 **SECTION 1444.** 49.496 (2) (title) of the statutes is amended to read:

5 49.496 (2) (title) LIENS ON THE HOMES OF NURSING HOME RESIDENTS AND INPATIENTS
6 AT HOSPITALS.

7 **SECTION 1445.** 49.496 (2) (a) of the statutes is amended to read:

8 49.496 (2) (a) Except as provided in par. (b), the department may obtain a lien
9 on a recipient's home if the recipient resides in a nursing home, or if the recipient
10 resides in a hospital and is required to contribute to the cost of care, and the recipient
11 cannot reasonably be expected to be discharged from the nursing home or hospital
12 and return home. The lien is for the amount of medical assistance paid on behalf of
13 the recipient while the recipient resides in a nursing home that is recoverable under
14 sub. (3) (a).

15 **SECTION 1446.** 49.496 (2) (b) 3. of the statutes is amended to read:

16 49.496 (2) (b) 3. The recipient's sibling who has an ownership interest in the
17 home and who has lived in the home continuously beginning at least 12 months
18 before the recipient was admitted to the nursing home or hospital.

19 **SECTION 1447.** 49.496 (2) (c) 1. of the statutes is amended to read:

20 49.496 (2) (c) 1. Notify the recipient in writing of its determination that the
21 recipient cannot reasonably be expected to be discharged from the nursing home or
22 hospital, its intent to impose a lien on the recipient's home and the recipient's right
23 to a hearing on whether the requirements for the imposition of a lien are satisfied.

24 **SECTION 1448.** 49.496 (2) (f) 3. of the statutes is amended to read:

1 49.496 (2) (f) 3. A child of any age who resides in the home, if that child resided
2 in the home for at least 24 months before the recipient was admitted to the nursing
3 home or hospital and provided care to the recipient that delayed the recipient's
4 admission to the nursing home or hospital.

5 **SECTION 1449.** 49.496 (2) (f) 4. of the statutes is amended to read:

6 49.496 (2) (f) 4. A sibling who resides in the home, if the sibling resided in the
7 home for at least 12 months before the recipient was admitted to the nursing home
8 or hospital.

9 **SECTION 1450.** 49.496 (2) (h) of the statutes is amended to read:

10 49.496 (2) (h) The department shall file a release of a lien imposed under this
11 subsection if the recipient is discharged from the nursing home or hospital and
12 returns to live in the home.

13 **SECTION 1451.** 49.496 (3) (a) (intro.) of the statutes is amended to read:

14 49.496 (3) (a) (intro.) Except as provided in par. (b), the department shall file
15 a claim against the estate of a recipient ~~or against the estate of the surviving spouse~~
16 of a recipient for all of the following unless already recovered by the department
17 under this section:

18 **SECTION 1452.** 49.496 (3) (a) 1. of the statutes is amended to read:

19 49.496 (3) (a) 1. The amount of medical assistance paid on behalf of the
20 recipient while the recipient resided in a nursing home or while the recipient was an
21 inpatient in a ~~medical institution~~ hospital and was required to contribute to the cost
22 of care.

23 **SECTION 1453.** 49.496 (3) (a) 2. a. of the statutes is amended to read:

1 49.496 (3) (a) 2. a. Home-based or community-based services under 42 USC
2 1396d (a) (7) and (8) and under any waiver granted under 42 USC 1396n (c) (4) (B)
3 or 42 USC 1396u.

4 **SECTION 1454.** 49.496 (3) (a) 2. d. of the statutes is created to read:

5 49.496 (3) (a) 2. d. Personal care services under s. 49.46 (2) (b) 6. j.

6 **SECTION 1455.** 49.496 (3) (am) (intro.) of the statutes is amended to read:

7 49.496 (3) (am) (intro.) The court shall reduce the amount of a claim under par.
8 (a) by up to \$3,000 the amount specified in s. 861.33 (2) if necessary to allow the
9 recipient's heirs or the beneficiaries of the recipient's will to retain the following
10 personal property:

11 **SECTION 1456.** 49.496 (3) (am) 3. of the statutes is amended to read:

12 49.496 (3) (am) 3. Other tangible personal property not used in trade,
13 agriculture or other business, not to exceed \$1,000 in value the amount specified in
14 s. 861.33 (1) (a) 4.

15 **SECTION 1458.** 49.496 (3) (c) of the statutes is renumbered 49.496 (3) (c) 1. and
16 amended to read:

17 49.496 (3) (c) 1. If the department's claim is not allowable because of par. (b)
18 and the estate includes an interest in a home, the court exercising probate
19 jurisdiction shall, in the final judgment or summary findings and order, assign the
20 interest in the home subject to a lien in favor of the department for the amount
21 described in par. (a). The personal representative or petitioner for summary
22 settlement or summary assignment of the estate shall record the final judgment as
23 provided in s. 863.29, 867.01 (3) (h) or 867.02 (2) (h).

24 **SECTION 1459.** 49.496 (3) (c) 2. of the statutes is created to read:

1 49.496 (3) (c) 2. If the department's claim is not allowable because of par. (b),
2 the estate includes an interest in a home and the personal representative closes the
3 estate by sworn statement under s. 865.16, the personal representative shall
4 stipulate in the statement that the home is assigned subject to a lien in favor of the
5 department for the amount described in par. (a). The personal representative shall
6 record the statement in the same manner as described in s. 863.29, as if the
7 statement were a final judgment.

8 **SECTION 1460.** 49.496 (3) (f) of the statutes is created to read:

9 49.496 (3) (f) The department may contract with or employ an attorney to
10 probate estates to recover under this subsection the costs of care.

11 **SECTION 1460m.** 49.496 (4) of the statutes is amended to read:

12 49.496 (4) ADMINISTRATION. The department may require a county department
13 under s. 46.215, 46.22 or 46.23 or the governing body of a federally recognized
14 American Indian tribe administering medical assistance to gather and provide the
15 department with information needed to recover medical assistance under this
16 section. The department shall pay to a county department or tribal governing body
17 an amount equal to 5% of the recovery collected by the department relating to a
18 beneficiary for whom the county department or tribal governing body made the last
19 determination of medical assistance eligibility. A county department or tribal
20 governing body may use funds received under this subsection only to pay costs
21 incurred under this subsection and, if any amount remains, to pay for improvements
22 to functions required under s. ~~49.33 (2)~~ 49.45 (2) (b) 1. The department may withhold
23 payments under this subsection for failure to comply with the department's
24 requirements under this subsection. The department shall treat payments made
25 under this subsection as costs of administration of the medical assistance program.

1 **SECTION 1461.** 49.496 (5) of the statutes is amended to read:

2 49.496 (5) USE OF FUNDS. From the appropriation under s. 20.435 (5) ~~(4)~~ (im),
3 the department shall pay the amount of the payments under sub. (4) that is not paid
4 from federal funds, shall pay to the federal government the amount of the funds
5 recovered under this section equal to the amount of federal funds used to pay the
6 benefits recovered under this section and shall spend the remainder of the funds
7 recovered under this section for medical assistance benefits under this subchapter.

8 **SECTION 1462.** 49.499 (intro.) of the statutes, as affected by 1997 Wisconsin Act
9 27, is renumbered 49.499 (1) (intro.).

10 **SECTION 1463.** 49.499 (1) to (3) of the statutes are renumbered 49.499 (1) (a)
11 to (c).

12 **SECTION 1464.** 49.499 (2m) of the statutes is created to read:

13 49.499 (2m) From the appropriation under s. 20.435 (6) (g), the department
14 may distribute funds for innovative projects designed to protect the health and
15 property of a resident in a nursing facility, as defined in s. 49.498 (1) (i).

16 **SECTION 1465.** 49.665 (1) (a) of the statutes is renumbered 49.665 (1) (e) and
17 amended to read:

18 49.665 (1) (e) “~~Custodial parent~~ Parent” has the meaning given in s. 49.141 (1)
19 ~~(b)~~ (j).

20 **SECTION 1466.** 49.665 (1) (b) of the statutes is repealed and recreated to read:

21 49.665 (1) (b) “Child” means a person who is under the age of 19.

22 **SECTION 1467.** 49.665 (1) (d) of the statutes is amended to read:

23 49.665 (1) (d) “Family” means a unit that consists of at least one dependent
24 child and his or her ~~custodial~~ parent or parents, all of whom reside in the same

1 household. “Family” includes the spouse of an individual who is a custodial parent
2 if the spouse resides in the same household as the individual.

3 **SECTION 1468.** 49.665 (1) (f) of the statutes is created to read:

4 49.665 (1) (f) “State plan” means the state child health plan under 42 USC
5 1397aa (b).

6 **SECTION 1469.** 49.665 (3) of the statutes is amended to read:

7 49.665 (3) ADMINISTRATION. The department shall administer a program to
8 provide the health services and benefits described in s. 49.46 (2) to families persons
9 that meet the eligibility requirements specified in sub. (4). The department shall
10 promulgate rules setting forth the application procedures and appeal and grievance
11 procedures. The department may promulgate rules limiting access to the program
12 under this section to defined enrollment periods. The department may also
13 promulgate rules establishing a method by which the department may purchase
14 family coverage offered by the employer of a member of an eligible family or by a
15 member of a child’s household under circumstances in which the department
16 determines that purchasing that coverage would not be more costly than providing
17 the coverage under this section.

18 **SECTION 1470.** 49.665 (4) (a) 1. of the statutes is amended to read:

19 49.665 (4) (a) 1. The family’s income does not exceed 185% of the poverty line,
20 except as provided in par. (at) and except that a family that is already receiving
21 health care coverage under this section may have an income that does not exceed
22 200% of the poverty line. The department shall establish by rule the criteria to be
23 used to determine income.

24 **SECTION 1470d.** 49.665 (4) (a) 3. of the statutes is amended to read:

1 49.665 (4) (a) 3. The family has not had access to employer–subsidized health
2 care coverage within the time period established by the department by rule, but not
3 to exceed 18 months, immediately preceding application for health care coverage
4 under this section. The department may establish exceptions to this ~~subdivision~~
5 time period restriction by rule.

6 **SECTION 1471.** 49.665 (4) (am) of the statutes is created to read:

7 49.665 (4) (am) A child who does not reside with his or her parent is eligible
8 for health care coverage under this section if the child meets all of the following
9 requirements:

10 1. The child's income does not exceed 185% of the poverty line, except as
11 provided in par. (at) and except that a child that is already receiving health care
12 coverage under this section may have an income that does not exceed 200% of the
13 poverty line. The department shall use the criteria established under par. (a) 1. to
14 determine income under this subdivision.

15 2. The child does not have access to employer–subsidized health care coverage.

16 3. The child has not had access to employer–subsidized health care coverage
17 within the time period established by the department under par. (a) 3. The
18 department may establish exceptions to this subdivision.

19 4. The child meets all other requirements established by the department by
20 rule. In establishing other eligibility criteria, the department may not include any
21 health condition requirements.

22 **SECTION 1472.** 49.665 (4) (at) of the statutes is created to read:

23 49.665 (4) (at) 1. a. Except as provided in subd. 1. b., the department shall
24 establish a lower maximum income level for the initial eligibility determination if
25 funding under s. 20.435 (4) (bc), (jz) and (p) is insufficient to accommodate the

1 projected enrollment levels for the health care program under this section. The
2 adjustment may not be greater than necessary to ensure sufficient funding.

3 b. The department may not lower the maximum income level for initial
4 eligibility unless the department first submits to the joint committee on finance its
5 plans for lowering the maximum income level and the committee approves the plan.
6 If, within 14 days after submitting the plan to the joint committee on finance, the
7 cochairpersons of the committee do not notify the secretary that the committee has
8 scheduled a meeting for the purpose of reviewing the plan, the plan is considered
9 approved by the committee.

10 2. If, after the department has established a lower maximum income level
11 under subd. 1., projections indicate that funding under s. 20.435 (4) (bc), (jz) and (p)
12 is sufficient to raise the level, the department shall, by state plan amendment, raise
13 the maximum income level for initial eligibility, but not to exceed 185% of the poverty
14 line.

15 3. The department may not adjust the maximum income level of 200% of the
16 poverty line for persons already receiving health care coverage under this section.

17 **SECTION 1473.** 49.665 (4) (b) of the statutes is amended to read:

18 49.665 (4) (b) Notwithstanding fulfillment of the eligibility requirements
19 under this subsection, a ~~family~~ no person is ~~not~~ entitled to health care coverage under
20 this section.

21 **SECTION 1474.** 49.665 (4) (c) of the statutes is amended to read:

22 49.665 (4) (c) No ~~family~~ person may be denied health care coverage under this
23 section solely because of a health condition of that person or of any family member
24 of that person.

25 **SECTION 1475.** 49.665 (5) (a) of the statutes is amended to read:

1 49.665 (5) (a) Except as provided in ~~par.~~ pars. (b) and (bm), a family ~~that, or~~
2 child who does not reside with his or her parent, who receives health care coverage
3 under this section shall pay a percentage of the cost of that coverage in accordance
4 with a schedule established by the department by rule. If the schedule established
5 by the department requires a family, or child who does not reside with his or her
6 parent, to contribute more than 3% of the family's or child's income towards the cost
7 of the health care coverage provided under this section, the department shall submit
8 the schedule to the joint committee on finance for review and approval of the
9 schedule. If the cochairpersons of the joint committee on finance do not notify the
10 department within 14 working days after the date of the department's submittal of
11 the schedule that the committee has scheduled a meeting to review the schedule, the
12 department may implement the schedule. If, within 14 days after the date of the
13 department's submittal of the schedule, the cochairpersons of the committee notify
14 the department that the committee has scheduled a meeting to review the schedule,
15 the department may not require a family, or child who does not reside with his or her
16 parent, to contribute more than 3% of the family's or child's income unless the joint
17 committee on finance approves the schedule. The joint committee on finance may not
18 approve and the department may not implement a schedule that requires a family
19 or child to contribute more than 3.5% of the family's or child's income towards the cost
20 of the health care coverage provided under this section.

21 **SECTION 1476.** 49.665 (5) (b) of the statutes is amended to read:

22 49.665 (5) (b) The department may not require a family, or child who does not
23 reside with his or her parent, with an income below ~~143%~~ 150% of the poverty line
24 to contribute to the cost of health care coverage provided under this section.

25 **SECTION 1476d.** 49.665 (5) (bm) of the statutes is created to read:

1 49.665 (5) (bm) If the federal department of health and human services notifies
2 the department of health and family services that Native Americans may not be
3 required to contribute to the cost of the health care coverage provided under this
4 section, the department of health and family services may not require Native
5 Americans to contribute to the cost of health care coverage under this section.

6 **SECTION 1476f.** 49.665 (5m) of the statutes is created to read:

7 49.665 (5m) OUTREACH. The department shall coordinate with the department
8 of public instruction to develop, and beginning on October 1, 1999, or on the effective
9 date of this subsection [revisor inserts date], whichever is later, to implement, an
10 outreach mailing targeted at families of children who are enrolled in the federal
11 school lunch program under 42 USC 1751, et seq., to inform the families of those
12 children about health care coverage under this section and the family's potential
13 eligibility for that coverage.

14 **SECTION 1477.** 49.682 (2) (c) (intro.) of the statutes is amended to read:

15 49.682 (2) (c) (intro.) The court shall reduce the amount of a claim under par.
16 (a) by up to \$3,000 the amount specified in s. 861.33 (2) if necessary to allow the
17 client's heirs or the beneficiaries of the client's will to retain the following personal
18 property:

19 **SECTION 1478.** 49.682 (2) (c) 3. of the statutes is amended to read:

20 49.682 (2) (c) 3. Other tangible personal property not used in trade, agriculture
21 or other business, not to exceed \$1,000 in value the amount specified in s. 861.33 (1)
22 (a) 4.

23 **SECTION 1479.** 49.682 (2) (e) of the statutes is renumbered 49.682 (2) (e) 1. and
24 amended to read:

1 49.682 (2) (e) 1. If the department's claim is not allowable because of par. (d)
2 and the estate includes an interest in a home, the court exercising probate
3 jurisdiction shall, in the final judgment or summary findings and order, assign the
4 interest in the home subject to a lien in favor of the department for the amount
5 described in par. (a). The personal representative or petitioner for summary
6 settlement or summary assignment of the estate shall record the final judgment as
7 provided in s. 863.29, 867.01 (3) (h) or 867.02 (2) (h).

8 **SECTION 1480.** 49.682 (2) (e) 2. of the statutes is created to read:

9 49.682 (2) (e) 2. If the department's claim is not allowable because of par. (d),
10 the estate includes an interest in a home and the personal representative closes the
11 estate by sworn statement under s. 865.16, the personal representative shall
12 stipulate in the statement that the home is assigned subject to a lien in favor of the
13 department for the amount described in par. (a). The personal representative shall
14 record the statement in the same manner as described in s. 863.29, as if the
15 statement were a final judgment.

16 **SECTION 1481.** 49.682 (6) of the statutes is created to read:

17 49.682 (6) The department may contract with or employ an attorney to probate
18 estates to recover under this section the costs of care.

19 **SECTION 1482.** 49.683 (2) of the statutes is amended to read:

20 49.683 (2) Approved costs for medical care under sub. (1) shall be paid from the
21 appropriation under s. 20.435 ~~(5)~~ (4) (e).

22 **SECTION 1483.** 49.687 (2) of the statutes is amended to read:

23 49.687 (2) The department shall develop and implement a sliding scale of
24 patient liability for kidney disease aid under s. 49.68, cystic fibrosis aid under s.
25 49.683 and hemophilia treatment under s. 49.685, based on the patient's ability to

1 pay for treatment. To ensure that the needs for treatment of patients with lower
2 incomes receive priority within the availability of funds under s. 20.435 (5) (4) (e),
3 the department shall revise the sliding scale for patient liability by January 1, 1994,
4 and shall, every 3 years thereafter by January 1, review and, if necessary, revise the
5 sliding scale.

6 **SECTION 1483t.** 49.775 (1) (a) of the statutes is amended to read:

7 49.775 (1) (a) “Custodial parent” ~~has the meaning given in s. 49.141 (1) (b)~~
8 means, with respect to a dependent child, a parent who is eligible for supplemental
9 security income under 42 USC 1381 to 1383d or for state supplemental payments
10 under s. 49.77, or both, and who resides with a dependent child and, if there has been
11 a determination of legal custody with respect to the dependent child, has legal
12 custody of that child. For the purposes of this paragraph, “legal custody” has the
13 meaning given in s. 767.001 (2) (a).

14 **SECTION 1483u.** 49.775 (1) (b) of the statutes is amended to read:

15 49.775 (1) (b) “Dependent child” ~~has the meaning given in s. 49.141 (1) (c)~~
16 means a person who is the son or daughter of a custodial parent, who resides with
17 that parent and who is under the age of 18 or, if the person is a full-time student at
18 a secondary school or a vocational or technical equivalent and is reasonably expected
19 to complete the program before attaining the age of 19, is under the age of 19.

20 **SECTION 1483v.** 49.775 (1) (c) of the statutes is created to read:

21 49.775 (1) (c) “Grandchild” means a person who is the son or daughter of a
22 custodial parent’s dependent child who resides with the dependent child and, if there
23 has been a determination of legal custody with respect to that person, of whom the
24 dependent child has legal custody. For the purposes of this paragraph, “legal
25 custody” has the meaning given in s. 767.001 (2) (a).

1 **SECTION 1483w.** 49.775 (1) (d) of the statutes is created to read:

2 49.775 (1) (d) “Parent” has the meaning given in s. 49.141 (1) (j).

3 **SECTION 1483x.** 49.775 (2) (intro.) of the statutes is amended to read:

4 49.775 (2) SUPPLEMENTAL PAYMENTS. (intro.) Subject to sub. (3), the department
5 shall make a monthly payment in the amount specified in sub. (4) to a custodial
6 parent for the support of each dependent child of the custodial parent, and for the
7 support of each grandchild, if all of the following conditions are met:

8 **SECTION 1483y.** 49.775 (2) (a) of the statutes is repealed.

9 **SECTION 1483ym.** 49.775 (2) (b) of the statutes is amended to read:

10 49.775 (2) (b) If the dependent child has 2 custodial parents, each custodial
11 parent receives is eligible for supplemental security income under 42 USC 1381 to
12 1383c or for state supplemental payments under s. 49.77, or both.

13 **SECTION 1483z.** 49.775 (2) (c) of the statutes is amended to read:

14 49.775 (2) (c) The dependent child and grandchild, if any, of the eustodian
15 custodial parent meets meet the eligibility criteria under the aid to families with
16 dependent children program under s. 49.19 (1) to (19) or would meet the eligibility
17 criteria under s. 49.19 but for the application of s. 49.19 (20).

18 **SECTION 1483zb.** 49.775 (2) (d) of the statutes is amended to read:

19 49.775 (2) (d) The dependent child or the grandchild does not receive
20 supplemental security income under 42 USC 1381 to 1383d.

21 **SECTION 1484b.** 49.775 (4) of the statutes is renumbered 49.775 (4) (a) and
22 amended to read:

23 49.775 (4) PAYMENT AMOUNT. (a) The payment under sub. (2) is \$100 \$250 per
24 month per for one dependent child and \$150 per month for each additional dependent
25 child and, except as provided in par. (b), \$150 per month for each grandchild.

1 **SECTION 1484c.** 49.775 (4) (b) of the statutes is created to read:

2 49.775 **(4)** (b) If the custodial parent receives a payment under s. 48.57 (3m)
3 for the care and maintenance of a child, no payment may be made under this section
4 with respect to that child.

5 **SECTION 1486j.** 49.854 (2) (e) of the statutes is created to read:

6 49.854 **(2)** (e) *Date that support lien docket is operational.* The department
7 shall publish a notice in the Wisconsin Administrative Register that states the date
8 on which the statewide support lien docket is first operational. The department shall
9 publish the notice stating the date as soon as possible after the statewide support lien
10 docket begins operating or, if the department is able to determine with certainty the
11 date on which the statewide support lien docket will begin operating, as soon as
12 possible after the department determines that date.

13 **SECTION 1486k.** 49.854 (2) (e) of the statutes, as created by 1999 Wisconsin Act
14 (this act), is repealed.

15 **SECTION 1487.** 49.855 (7) of the statutes is repealed.

16 **SECTION 1488d.** 49.857 (1) (d) 3. of the statutes is amended to read:

17 49.857 **(1)** (d) 3. A license issued under s. 48.66 (1) (a) or (b).

18 **SECTION 1488m.** 49.857 (1) (d) 12. of the statutes is amended to read:

19 49.857 **(1)** (d) 12. A license or certificate of registration issued under s. 138.09,
20 138.12, 217.06, 218.01, 218.02, 218.04, 218.05 ~~or~~, 224.72, 224.93 or subch. III of ch.
21 551.

22 **SECTION 1489.** 49.89 (2) of the statutes is amended to read:

23 49.89 **(2)** SUBROGATION. The department of health and family services, the
24 department of workforce development, a county or an elected tribal governing body
25 that provides any public assistance under this chapter or under s. 253.05 as a result

1 of the occurrence of an injury, sickness or death that creates a claim or cause of action,
2 whether in tort or contract, on the part of a public assistance recipient or beneficiary
3 or the estate of a recipient or beneficiary against a 3rd party, including an insurer,
4 is subrogated to the rights of the recipient, beneficiary or estate and may make a
5 claim or maintain an action or intervene in a claim or action by the recipient,
6 beneficiary or estate against the 3rd party. Subrogation under this subsection
7 because of the provision of medical assistance under subch. IV constitutes a lien,
8 equal to the amount of the medical assistance provided as a result of the injury,
9 sickness or death that gave rise to the claim. The lien is on any payment resulting
10 from a judgment or settlement that may be due the obligor. A lien under this
11 subsection continues until it is released and discharged by the department of health
12 and family services.

13 **SECTION 1490.** 49.89 (3m) (bm) of the statutes is created to read:

14 49.89 (3m) (bm) A person against whom a claim that is subrogated under sub.
15 (2) or assigned under sub. (3) is made, or that person's attorney or insurer, shall
16 provide notice under par. (c), if that person, attorney or insurer knows, or could
17 reasonably determine, that the claimant is a recipient or former recipient of medical
18 assistance under subch. IV, or is the estate of a former recipient of medical assistance
19 under subch. IV.

20 **SECTION 1491.** 49.89 (7) (c) of the statutes is amended to read:

21 49.89 (7) (c) The incentive payment shall be an amount equal to 15% of the
22 amount recovered because of benefits paid under s. 49.19, ~~49.20~~, s. 49.20, 1997 stats.,
23 and 49.30 or 253.05. The incentive payment shall be taken from the state share of
24 the sum recovered, except that the incentive payment for an amount recovered

1 because of benefits paid under s. 49.19 shall be considered an administrative cost
2 under s. 49.19 for the purpose of claiming federal funding.

3 **SECTION 1491m.** 49.96 of the statutes, as affected by 1997 Wisconsin Act 105,
4 section 27g, is amended to read:

5 **49.96 Assistance grants exempt from levy.** All grants of aid to families with
6 dependent children, payments made under ss. 48.57 (3m) ~~or~~ (3n) or (3o), 49.148 (1)
7 (b) 1. or (c) or (1m) or 49.149 to 49.159, payments made for social services, cash
8 benefits paid by counties under s. 59.53 (21), and benefits under s. 49.77 or federal
9 Title XVI, are exempt from every tax, and from execution, garnishment, attachment
10 and every other process and shall be inalienable.

11 **SECTION 1493.** 50.02 (2) (d) of the statutes is created to read:

12 50.02 (2) (d) The department shall promulgate rules that prescribe the time
13 periods and the methods of providing information specified in ss. 50.033 (2r) and (2s),
14 50.034 (5m) and (5n), 50.035 (4m) and (4n) and 50.04 (2g) (a) and (2h) (a).

15 **SECTION 1495.** 50.033 (2) of the statutes is amended to read:

16 50.033 (2) REGULATION. Standards for operation of licensed adult family homes
17 and procedures for application for licensure, monitoring, inspection, revocation and
18 appeal of revocation under this section shall be under rules promulgated by the
19 department under s. 50.02 (2) (am) 2. An adult family home licensure is valid until
20 revoked under this section. Licensure is not transferable. The biennial licensure fee
21 for a licensed adult family home is \$75 \$135. The fee is payable to the county
22 department under s. 46.215, 46.22, 46.23, 51.42 or 51.437, if the county department
23 licenses the adult family home under sub. (1m) (b), and is payable to the department,
24 on a schedule determined by the department if the department licenses the adult
25 family home under sub. (1m) (b).

1 **SECTION 1496.** 50.033 (2r) of the statutes is created to read:

2 **50.033 (2r) PROVISION OF INFORMATION REQUIRED.** Subject to sub. (2t), an adult
3 family home shall, within the time period after inquiry by a prospective resident that
4 is prescribed by the department by rule, inform the prospective resident of the
5 services of a resource center under s. 46.283, the family care benefit under s. 46.286
6 and the availability of a functional and financial screen to determine the prospective
7 resident's eligibility for the family care benefit under s. 46.286 (1).

8 **SECTION 1497.** 50.033 (2s) of the statutes is created to read:

9 **50.033 (2s) REQUIRED REFERRAL.** Subject to sub. (2t), an adult family home shall,
10 within the time period prescribed by the department by rule, refer to a resource
11 center under s. 46.283 a person who is seeking admission, who is at least 65 years
12 of age or has a physical disability and whose disability or condition is expected to last
13 at least 90 days, unless any of the following applies:

14 (a) For a person who has received a screen for functional eligibility under s.
15 46.286 (1) (a) within the previous 6 months, the referral under this subsection need
16 not include performance of an additional functional screen under s. 46.283 (4) (g).

17 (b) The person is entering the adult family home only for respite care.

18 (c) The person is an enrollee of a care management organization.

19 (d) For a person who seeks admission or is about to be admitted on a private
20 pay basis and who waives the requirement for a financial screen under s. 46.283 (4)
21 (g), the referral under this subsection may not include performance of a financial
22 screen under s. 46.283 (4) (g), unless the person is expected to become eligible for
23 medical assistance within 6 months.

24 **SECTION 1498.** 50.033 (2t) of the statutes is created to read:

1 50.033 **(2t)** APPLICABILITY. Subsections (2r) and (2s) apply only if the secretary
2 has certified under s. 46.281 (3) that a resource center is available for the adult family
3 home and for specified groups of eligible individuals that include those persons
4 seeking admission to or the residents of the adult family home.

5 **SECTION 1499.** 50.034 (5m) of the statutes is created to read:

6 50.034 **(5m)** PROVISION OF INFORMATION REQUIRED. Subject to sub. (5p), a
7 residential care apartment complex shall, within the time period after inquiry by a
8 prospective resident that is prescribed by the department by rule, inform the
9 prospective resident of the services of a resource center under s. 46.283, the family
10 care benefit under s. 46.286 and the availability of a functional and financial screen
11 to determine the prospective resident's eligibility for the family care benefit under
12 s. 46.286 (1).

13 **SECTION 1500.** 50.034 (5n) of the statutes is created to read:

14 50.034 **(5n)** REQUIRED REFERRAL. Subject to sub. (5p), a residential care
15 apartment complex shall, within the time period prescribed by the department by
16 rule, refer to a resource center under s. 46.283 a person who is seeking admission,
17 who is at least 65 years of age or has a physical disability and whose disability or
18 condition is expected to last at least 90 days, unless any of the following applies:

19 (a) For a person who has received a screen for functional eligibility under s.
20 46.286 (1) (a) within the previous 6 months, the referral under this subsection need
21 not include performance of an additional functional screen under s. 46.283 (4) (g).

22 (b) The person is entering the residential care apartment complex only for
23 respite care.

24 (c) The person is an enrollee of a care management organization.

1 (d) For a person who seeks admission or is about to be admitted on a private
2 pay basis and who waives the requirement for a financial screen under s. 46.283 (4)
3 (g), the referral under this subsection may not include performance of a financial
4 screen under s. 46.283 (4) (g), unless the person is expected to become eligible for
5 medical assistance within 6 months.

6 **SECTION 1501.** 50.034 (5p) of the statutes is created to read:

7 50.034 (5p) APPLICABILITY. Subsections (5m) and (5n) apply only if the secretary
8 has certified under s. 46.281 (3) that a resource center is available for the residential
9 care apartment complex and for specified groups of eligible individuals that include
10 those person seeking admission to or the residents of the residential care apartment
11 complex.

12 **SECTION 1501d.** 50.034 (6) of the statutes is amended to read:

13 50.034 (6) FUNDING. Funding for supportive, personal or nursing services that
14 a person who resides in a residential care apartment complex receives, other than
15 private or 3rd-party funding, may be provided only under s. 46.27 (11) (c) 7. or 46.277
16 (5) (e), ~~unless~~ except if the provider of the services is a certified medical assistance
17 provider under s. 49.45 or if the funding is provided as a family care benefit under
18 ss. 46.2805 to 46.2895.

19 **SECTION 1502.** 50.034 (8) of the statutes is created to read:

20 50.034 (8) FORFEITURES. (a) Whoever violates sub. (5m) or (5n) or rules
21 promulgated under sub. (5m) or (5n) may be required to forfeit not more than \$500
22 for each violation.

23 (b) The department may directly assess forfeitures provided for under par. (a).
24 If the department determines that a forfeiture should be assessed for a particular
25 violation, it shall send a notice of assessment to the residential care apartment

1 complex. The notice shall specify the amount of the forfeiture assessed, the violation
2 and the statute or rule alleged to have been violated, and shall inform the residential
3 care apartment complex of the right to a hearing under par. (c).

4 (c) A residential care apartment complex may contest an assessment of a
5 forfeiture by sending, within 10 days after receipt of notice under par. (b), a written
6 request for a hearing under s. 227.44 to the division of hearings and appeals created
7 under s. 15.103 (1). The administrator of the division may designate a hearing
8 examiner to preside over the case and recommend a decision to the administrator
9 under s. 227.46. The decision of the administrator of the division shall be the final
10 administrative decision. The division shall commence the hearing within 30 days
11 after receipt of the request for a hearing and shall issue a final decision within 15
12 days after the close of the hearing. Proceedings before the division are governed by
13 ch. 227. In any petition for judicial review of a decision by the division, the party,
14 other than the petitioner, who was in the proceeding before the division shall be the
15 named respondent.

16 (d) All forfeitures shall be paid to the department within 10 days after receipt
17 of notice of assessment or, if the forfeiture is contested under par. (c), within 10 days
18 after receipt of the final decision after exhaustion of administrative review, unless
19 the final decision is appealed and the order is stayed by court order. The department
20 shall remit all forfeitures paid to the state treasurer for deposit in the school fund.

21 (e) The attorney general may bring an action in the name of the state to collect
22 any forfeiture imposed under this section if the forfeiture has not been paid following
23 the exhaustion of all administrative and judicial reviews. The only issue to be
24 contested in any such action shall be whether the forfeiture has been paid.

25 **SECTION 1503.** 50.035 (4m) of the statutes is created to read:

1 50.035 **(4m)** PROVISION OF INFORMATION REQUIRED. Subject to sub. (4p), a
2 community–based residential facility shall, within the time period after inquiry by
3 a prospective resident that is prescribed by the department by rule, inform the
4 prospective resident of the services of a resource center under s. 46.283, the family
5 care benefit under s. 46.286 and the availability of a functional and financial screen
6 to determine the prospective resident’s eligibility for the family care benefit under
7 s. 46.286 (1).

8 **SECTION 1504.** 50.035 (4n) of the statutes is created to read:

9 50.035 **(4n)** REQUIRED REFERRAL. Subject to sub. (4p), a community–based
10 residential facility shall, within the time period prescribed by the department by
11 rule, refer to a resource center under s. 46.283 a person who is seeking admission,
12 who is at least 65 years of age or has a physical disability and whose disability or
13 condition is expected to last at least 90 days, unless any of the following applies:

14 (a) For a person who has received a screen for functional eligibility under s.
15 46.286 (1) (a) within the previous 6 months, the referral under this subsection need
16 not include performance of an additional functional screen under s. 46.283 (4) (g).

17 (b) The person is entering the community–based residential facility only for
18 respite care.

19 (c) The person is an enrollee of a care management organization.

20 (d) For a person who seeks admission or is about to be admitted on a private
21 pay basis and who waives the requirement for a financial screen under s. 46.283 (4)
22 (g), the referral under this subsection may not include performance of a financial
23 screen under s. 46.283 (4) (g), unless the person is expected to become eligible for
24 medical assistance within 6 months.

25 **SECTION 1505.** 50.035 (4p) of the statutes is created to read:

1 50.035 **(4p)** APPLICABILITY. Subsections (4m) and (4n) apply only if the secretary
2 has certified under s. 46.281 (3) that a resource center is available for the
3 community–based residential facility and for specified groups of eligible individuals
4 that include those persons seeking admission to or the residents of the
5 community–based residential facility.

6 **SECTION 1506.** 50.035 (7) (c) of the statutes is amended to read:

7 50.035 **(7)** (c) If the date estimated under par. (a) 2. is less than 24 months after
8 the date of the individual’s statement of financial condition, the community–based
9 residential facility shall provide the statement to the county department under s.
10 46.215 or 46.22 and shall refer the potential resident to the county department to
11 determine whether an assessment under s. 46.27 (6) should be conducted.

12 **SECTION 1507.** 50.035 (8) of the statutes is repealed.

13 **SECTION 1508.** 50.035 (11) of the statutes is created to read:

14 50.035 **(11)** FORFEITURES. (a) Whoever violates sub. (4m) or (4n) or rules
15 promulgated under sub. (4m) or (4n) may be required to forfeit not more than \$500
16 for each violation.

17 (b) The department may directly assess forfeitures provided for under par. (a).
18 If the department determines that a forfeiture should be assessed for a particular
19 violation, it shall send a notice of assessment to the community–based residential
20 facility. The notice shall specify the amount of the forfeiture assessed, the violation
21 and the statute or rule alleged to have been violated, and shall inform the licensee
22 of the right to a hearing under par. (c).

23 (c) A community–based residential facility may contest an assessment of a
24 forfeiture by sending, within 10 days after receipt of notice under par. (b), a written
25 request for a hearing under s. 227.44 to the division of hearings and appeals created

1 under s. 15.103 (1). The administrator of the division may designate a hearing
2 examiner to preside over the case and recommend a decision to the administrator
3 under s. 227.46. The decision of the administrator of the division shall be the final
4 administrative decision. The division shall commence the hearing within 30 days
5 after receipt of the request for a hearing and shall issue a final decision within 15
6 days after the close of the hearing. Proceedings before the division are governed by
7 ch. 227. In any petition for judicial review of a decision by the division, the party,
8 other than the petitioner, who was in the proceeding before the division shall be the
9 named respondent.

10 (d) All forfeitures shall be paid to the department within 10 days after receipt
11 of notice of assessment or, if the forfeiture is contested under par. (c), within 10 days
12 after receipt of the final decision after exhaustion of administrative review, unless
13 the final decision is appealed and the order is stayed by court order. The department
14 shall remit all forfeitures paid to the state treasurer for deposit in the school fund.

15 (e) The attorney general may bring an action in the name of the state to collect
16 any forfeiture imposed under this section if the forfeiture has not been paid following
17 the exhaustion of all administrative and judicial reviews. The only issue to be
18 contested in any such action shall be whether the forfeiture has been paid.

19 **SECTION 1509.** 50.037 (2) (a) of the statutes is amended to read:

20 50.037 (2) (a) The biennial fee for a community-based residential facility is
21 \$170 \$306, plus a biennial fee of ~~\$22~~ \$39.60 per resident, based on the number of
22 residents that the facility is licensed to serve.

23 **SECTION 1510.** 50.04 (2g) of the statutes is created to read:

24 50.04 (2g) PROVISION OF INFORMATION REQUIRED. (a) Subject to sub. (2i), a
25 nursing home shall, within the time period after inquiry by a prospective resident

1 that is prescribed by the department by rule, inform the prospective resident of the
2 services of a resource center under s. 46.283, the family care benefit under s. 46.286
3 and the availability of a functional and financial screen to determine the prospective
4 resident's eligibility for the family care benefit under s. 46.286 (1).

5 (b) Failure to comply with this subsection is a class "C" violation under sub. (4)
6 (b) 3.

7 **SECTION 1511.** 50.04 (2h) of the statutes is created to read:

8 50.04 (2h) REQUIRED REFERRAL. (a) Subject to sub. (2i), a nursing home shall,
9 within the time period prescribed by the department by rule, refer to a resource
10 center under s. 46.283 a person who is seeking admission, who is at least 65 years
11 of age or has developmental disability or physical disability and whose disability or
12 condition is expected to last at least 90 days, unless any of the following applies:

13 1. For a person who has received a screen for functional eligibility under s.
14 46.286 (1) (a) within the previous 6 months, the referral under this paragraph need
15 not include performance of an additional functional screen under s. 46.283 (4) (g).

16 2. The person is seeking admission to the nursing home only for respite care.

17 3. The person is an enrollee of a care management organization.

18 4. For a person who seeks admission or is about to be admitted on a private pay
19 basis and who waives the requirement for a financial screen under s. 46.283 (4) (g),
20 the referral under this subsection may not include performance of a financial screen
21 under s. 46.283 (4) (g), unless the person expected to become eligible for medical
22 assistance within 6 months.

23 (b) Failure to comply with this subsection is a class "C" violation under sub. (4)
24 (b) 3.

25 **SECTION 1512.** 50.04 (2i) of the statutes is created to read:

1 50.04 **(2i)** APPLICABILITY. Subsections (2g) and (2h) apply only if the secretary
2 has certified under s. 46.281 (3) that a resource center is available for the nursing
3 home and for specified groups of eligible individuals that include those persons
4 seeking admission to or the residents of the nursing home.

5 **SECTION 1513.** 50.04 (2m) of the statutes is renumbered 50.04 (2m) (a) and
6 amended to read:

7 50.04 **(2m)** (a) ~~No Except as provided in par. (b), no nursing home may admit~~
8 any patient until a physician has completed a plan of care for the patient and the
9 patient is assessed or the patient is exempt from or waives assessment under s. 46.27
10 (6) (a) ~~or 46.271 (2m) (a) 2.~~ Failure to comply with this subsection is a class “C”
11 violation under sub. (4) (b) 3.

12 **SECTION 1514.** 50.04 (2m) (b) of the statutes is created to read:

13 50.04 **(2m)** (b) Paragraph (a) does not apply to those residents for whom the
14 secretary has certified under s. 46.281 (3) that a resource center is available.

15 **SECTION 1515.** 50.06 (7) of the statutes is amended to read:

16 50.06 **(7)** An individual who consents to an admission under this section may
17 request that an assessment be conducted for the incapacitated individual under the
18 long-term support community options program under s. 46.27 (6) or, if the secretary
19 has certified under s. 46.281 (3) that a resource center is available for the individual,
20 a functional and financial screen to determine eligibility for the family care benefit
21 under s. 46.286 (1). If admission is sought on behalf of the incapacitated individual
22 or if the incapacitated individual is about to be admitted on a private pay basis, the
23 individual who consents to the admission may waive the requirement for a financial
24 screen under s. 46.283 (4) (g), unless the incapacitated individual is expected to
25 become eligible for medical assistance within 6 months.

1 **SECTION 1521b.** 50.065 (1) (ag) of the statutes is created to read:

2 50.065 (1) (ag) 1. “Caregiver” means any of the following:

3 a. A person who is, or is expected to be, an employe or contractor of an entity,
4 who is or is expected to be under the control of an entity, as defined by the department
5 by rule, and who has, or is expected to have, regular, direct contact with clients of the
6 entity.

7 b. A person who has, or is seeking, a license, certification, registration, or
8 certificate of approval issued or granted by the department to operate an entity.

9 c. A person who is, or is expected to be, an employe of the board on aging and
10 long-term care and who has, or is expected to have, regular, direct contact with
11 clients.

12 2. “Caregiver” does not include a person who is certified as an emergency
13 medical technician under s. 146.50 if the person is employed, or seeking employment,
14 as an emergency medical technician.

15 **SECTION 1521c.** 50.065 (1) (bm) of the statutes is created to read:

16 50.065 (1) (bm) “Contractor” means, with respect to an entity, a person, or that
17 person’s agent, who provides services to the entity under an express or implied
18 contract or subcontract, including a person who has staff privileges at the entity.

19 **SECTION 1521cm.** 50.065 (1) (br) of the statutes is created to read:

20 50.065 (1) (br) “Direct contact” means face-to-face physical proximity to a
21 client that affords the opportunity to commit abuse or neglect of a client or to
22 misappropriate the property of a client.

23 **SECTION 1521d.** 50.065 (1) (c) (intro.) of the statutes is amended to read:

24 50.065 (1) (c) (intro.) “Entity” means a facility, organization or service that is
25 licensed or certified by or registered with the department to provide direct care or

1 treatment services to clients. “Entity” includes a hospital, a personal care worker
2 agency ~~and~~, a supportive home care service agency, a temporary employment agency
3 that provides caregivers to another entity and the board on aging and long-term
4 care. “Entity” does not include any of the following:

5 **SECTION 1521dm.** 50.065 (1) (c) 2. of the statutes is amended to read:

6 50.065 (1) (c) 2. Kinship care ~~under s. 48.57 (3m)~~ or long-term kinship care
7 under s. 48.57 (3m), (3n) or (3o).

8 **SECTION 1521e.** 50.065 (1) (cn) of the statutes is created to read:

9 50.065 (1) (cn) “Nonclient resident” means a person who resides, or is expected
10 to reside, at an entity, who is not a client of the entity and who has, or is expected to
11 have, regular, direct contact with clients of the entity.

12 **SECTION 1521em.** 50.065 (1) (dm) of the statutes is created to read:

13 50.065 (1) (dm) “Reservation” means land in this state within the boundaries
14 of a reservation of a tribe or within the bureau of Indian affairs service area for the
15 Ho-Chunk Nation.

16 **SECTION 1521f.** 50.065 (1) (e) of the statutes is repealed and recreated to read:

17 50.065 (1) (e) 1. “Serious crime” means a violation of s. 940.01, 940.02, 940.03,
18 940.05, 940.12, 940.19 (2), (3), (4), (5) or (6), 940.22 (2) or (3), 940.225 (1), (2) or (3),
19 940.285 (2), 940.29, 940.295, 948.02 (1), 948.025 or 948.03 (2) (a), or a violation of the
20 law of any other state or United States jurisdiction that would be a violation of s.
21 940.01, 940.02, 940.03, 940.05, 940.12, 940.19 (2), (3), (4), (5) or (6), 940.22 (2) or (3),
22 940.225 (1), (2) or (3), 940.285 (2), 940.29, 940.295, 948.02 (1), 948.025 or 948.03 (2)
23 (a) if committed in this state.

24 2. For the purposes of an entity that serves persons under the age of 18, “serious
25 crime” includes a violation of s. 948.02 (2), 948.03 (2) (b) or (c), 948.05, 948.055,

1 948.06, 948.07, 948.08, 948.11 (2) (a) or (am), 948.12, 948.13, 948.21 (1) or 948.30 or
2 a violation of the law of any other state or United States jurisdiction that would be
3 a violation of s. 948.02 (2), 948.03 (2) (b) or (c), 948.05, 948.055, 948.06, 948.07,
4 948.08, 948.11 (2) (a) or (am), 948.12, 948.13, 948.21 (1) or 948.30 if committed in this
5 state.

6 **SECTION 1521fm.** 50.065 (1) (g) of the statutes is created to read:

7 50.065 (1) (g) “Tribe” means a federally recognized American Indian tribe or
8 band in this state.

9 **SECTION 1521g.** 50.065 (2) (a) (intro.) of the statutes is renumbered 50.065 (4m)
10 (a) (intro.).

11 **SECTION 1521h.** 50.065 (2) (a) 1. of the statutes is renumbered 50.065 (4m) (a)
12 1.

13 **SECTION 1521i.** 50.065 (2) (a) 2. of the statutes is repealed.

14 **SECTION 1521j.** 50.065 (2) (a) 3. of the statutes is renumbered 50.065 (4m) (a)
15 3.

16 **SECTION 1521k.** 50.065 (2) (a) 4. of the statutes is renumbered 50.065 (4m) (a)
17 4.

18 **SECTION 1521L.** 50.065 (2) (a) 5. of the statutes is renumbered 50.065 (4m) (a)
19 5.

20 **SECTION 1521m.** 50.065 (2) (ag) (intro.) of the statutes is renumbered 50.065
21 (4m) (b) (intro.) and amended to read:

22 50.065 (4m) (b) (intro.) Notwithstanding s. 111.335, and except as provided in
23 sub. (5), an entity may not hire or contract with a ~~person who will be under the~~
24 ~~entity’s control, as defined by the department by rule, and who is expected to have~~
25 ~~access to its clients, caregiver or permit to reside at the entity a person who is not a~~

1 ~~client and who is expected to have access to a client~~ nonclient resident, if the entity
2 knows or should have known any of the following:

3 **SECTION 1521n.** 50.065 (2) (ag) 1. of the statutes is renumbered 50.065 (4m)
4 (b) 1.

5 **SECTION 1521p.** 50.065 (2) (ag) 2. of the statutes is repealed.

6 **SECTION 1521q.** 50.065 (2) (ag) 3. of the statutes is renumbered 50.065 (4m) (b)
7 3.

8 **SECTION 1521r.** 50.065 (2) (ag) 4. of the statutes is renumbered 50.065 (4m) (b)
9 4.

10 **SECTION 1521s.** 50.065 (2) (ag) 5. of the statutes is renumbered 50.065 (4m) (b)
11 5.

12 **SECTION 1521t.** 50.065 (2) (am) (intro.) of the statutes is amended to read:

13 50.065 (2) (am) (intro.) ~~Subject to subd. 5. and par. (bd), the~~ The department
14 shall obtain all of the following with respect to a person specified under ~~par. (a)~~
15 ~~(intro.) sub. (1) (ag) 1. b.~~ and a person specified under ~~par. (ag) (intro.)~~ who is a
16 nonclient resident or prospective nonclient resident of an entity:

17 **SECTION 1521u.** 50.065 (2) (am) 5. of the statutes is amended to read:

18 50.065 (2) (am) 5. Information maintained by the department under this
19 section regarding any denial to the person of a license, certification, certificate of
20 approval or registration or of a continuation of a license, certification, certificate of
21 approval or registration to operate an entity for a reason specified in ~~par. sub. (4m)~~
22 (a) 1. to 5. and regarding any denial to the person of employment at, a contract with
23 or permission to reside at an entity for a reason specified in ~~par. (ag) sub. (4m) (b) 1.~~
24 to 5. If the information obtained under this subdivision indicates that the person has
25 been denied a license, certification, certificate of approval or registration,

1 continuation of a license, certification, certificate of approval or registration, a
2 contract, employment or permission to reside as described in this subdivision, the
3 department need not obtain the information specified in subs. 1. to 4.

4 **SECTION 1521v.** 50.065 (2) (b) 1. of the statutes is renumbered 50.065 (2) (b),
5 and 50.065 (2) (b) (intro.) and 5., as renumbered, are amended to read:

6 50.065 (2) (b) (intro.) ~~Subject to subs. 1. e. and 2. and par. (bd), every~~ Every
7 entity shall obtain all of the following with respect to a ~~person specified under par.~~
8 ~~(ag) (intro.) who is an employe or contractor or a prospective employe or contractor~~
9 caregiver of the entity:

10 5. Information maintained by the department under this section regarding any
11 denial to the person of a license, certification, certificate of approval or registration
12 or of a continuation of a license, certification, certificate of approval or registration
13 to operate an entity for a reason specified in ~~par. sub. (4m) (a) 1. to 5. and regarding~~
14 any denial to the person of employment at, a contract with or permission to reside
15 at an entity for a reason specified in ~~par. (ag) sub. (4m) (b) 1. to 5.~~ If the information
16 obtained under this ~~subd. 1. e. subdivision~~ indicates that the person has been denied
17 a license, certification, certificate of approval or registration, continuation of a
18 license, certification, certificate of approval or registration, a contract, employment
19 or permission to reside as described in this ~~subd. 1. e. subdivision~~, the entity need
20 not obtain the information specified in ~~subd. subs. 1. a. to d. to 4.~~

21 **SECTION 1521w.** 50.065 (2) (b) 2. of the statutes is repealed.

22 **SECTION 1521xd.** 50.065 (2) (bb) of the statutes is created to read:

23 50.065 (2) (bb) If information obtained under par. (am) or (b) indicates a charge
24 of a serious crime, but does not completely and clearly indicate the final disposition
25 of the charge, the department or entity shall make every reasonable effort to contact

1 the clerk of courts to determine the final disposition of the charge. If a background
2 information form under sub. (6) (a) or (am) indicates a charge or a conviction of a
3 serious crime, but information obtained under par. (am) or (b) does not indicate such
4 a charge or conviction, the department or entity shall make every reasonable effort
5 to contact the clerk of courts to obtain a copy of the criminal complaint and the final
6 disposition of the complaint. If information obtained under par. (am) or (b), a
7 background information form under sub. (6) (a) or (am) or any other information
8 indicates a conviction of a violation of s. 940.19 (1), 940.195, 940.20, 941.30, 942.08,
9 947.01 or 947.013 obtained not more than 5 years before the date on which that
10 information was obtained, the department or entity shall make every reasonable
11 effort to contact the clerk of courts to obtain a copy of the criminal complaint and
12 judgment of conviction relating to that violation.

13 **SECTION 1521y.** 50.065 (2) (bd) of the statutes is amended to read:

14 50.065 (2) (bd) Notwithstanding pars. (am) and (b) 1., the department is not
15 required to obtain the information specified in par. (am) 1. to 5., and an entity is not
16 required to obtain the information specified in par. (b) 1. ~~a. to e.~~ to 5., with respect
17 to a person under 18 years of age whose background information form under sub. (6)
18 (am) indicates that the person is not ineligible to be employed, contracted with or
19 permitted to reside at an entity for a reason specified in ~~par. (ag)~~ sub. (4m) (b) 1. to
20 5. and with respect to whom the department or entity otherwise has no reason to
21 believe that the person is ineligible to be employed, contracted with or permitted to
22 reside at an entity for any of those reasons. This paragraph does not preclude the
23 department from obtaining, at its discretion, the information specified in par. (am)
24 1. to 5. with respect to a person described in this paragraph who is a nonclient
25 resident or a prospective nonclient resident of an entity.

1 **SECTION 1521z.** 50.065 (2) (bg) of the statutes is amended to read:

2 50.065 **(2)** (bg) If an entity takes an action specified in par. (ag) (intro.) with
3 respect to an employe, prospective employe, contractor or prospective contractor
4 hires or contracts with a caregiver for whom, within the last 4 years, the information
5 required under par. (b) 1. a. to c. 3. and e. 5. has already been obtained, either by
6 another entity or by a temporary employment agency, the entity may obtain the that
7 information required under par. (b) 1. a. to c. and e. from that other entity or
8 temporary employment agency, which shall provide the information, if possible, to
9 the requesting entity. If an entity cannot obtain the information required under par.
10 (b) 1. a. to c. 3. and e. 5. from another entity or from a temporary employment agency
11 or if an entity has reasonable grounds to believe that any information obtained from
12 another entity or from a temporary employment agency is no longer accurate, the
13 entity shall obtain that information from the sources specified in par. (b) 1. a. to 3.
14 and e. 5.

15 **SECTION 1521zb.** 50.065 (2) (bm) of the statutes is amended to read:

16 50.065 **(2)** (bm) If the person who is the subject of the search under par. (am)
17 or (b) 1. is not a resident of this state, or if at any time within the 3 years preceding
18 the date of the search that person has not been a resident of this state, or if the
19 department or entity determines that the person's employment, licensing or state
20 court records provide a reasonable basis for further investigation, the department or
21 entity shall make a good faith effort to obtain from any state or other United States
22 jurisdiction in which the person is a resident or was a resident within the 3 years
23 preceding the date of the search information that is equivalent to the information
24 specified in par. (am) 1. or (b) 1. a. The department or entity may require the person
25 to be fingerprinted on 2 fingerprint cards, each bearing a complete set of the person's

1 fingerprints. The department of justice may provide for the submission of the
2 fingerprint cards to the federal bureau of investigation for the purposes of verifying
3 the identity of the person fingerprinted and obtaining records of his or her criminal
4 arrests and convictions.

5 **SECTION 1521zc.** 50.065 (2) (c) of the statutes is renumbered 50.065 (4m) (c)
6 and amended to read:

7 50.065 **(4m)** (c) If the background information form completed by a person
8 under sub. (6) (am) indicates that the person is not ineligible to be employed or
9 contracted with for a reason specified in par. ~~(ag)~~ (b) 1. to 5., an entity may employ
10 or contract with the person for not more than 60 days pending the receipt of the
11 information sought under ~~par. sub. (2)~~ (b) 1. If the background information form
12 completed by a person under sub. (6) (am) indicates that the person is not ineligible
13 to be permitted to reside at an entity for a reason specified in par. ~~(ag)~~ (b) 1. to 5. and
14 if an entity otherwise has no reason to believe that the person is ineligible to be
15 permitted to reside at an entity for any of those reasons, the entity may permit the
16 person to reside at the entity for not more than 60 days pending receipt of the
17 information sought under ~~par. sub. (2)~~ (am). An entity shall provide supervision for
18 a person who is employed or contracted with or permitted to reside as permitted
19 under this paragraph.

20 **SECTION 1521zd.** 50.065 (2) (d) of the statutes is created to read:

21 50.065 **(2)** (d) Every entity shall maintain, or shall contract with another
22 person to maintain, the most recent background information obtained on a caregiver
23 under par. (b). The information shall be made available for inspection by authorized
24 persons, as defined by the department by rule.

25 **SECTION 1521ze.** 50.065 (3) (a) of the statutes is amended to read:

1 50.065 (3) (a) Every 4 years or at any time within that period that the
2 department considers appropriate, the department shall request the information
3 specified in sub. (2) (am) 1. to ~~4.~~ 5. for all persons who are licensed to operate an entity
4 and for all persons ~~specified in par. (ag) (intro.)~~ who are nonclient residents of an
5 entity.

6 **SECTION 1521zf.** 50.065 (3) (b) of the statutes is amended to read:

7 50.065 (3) (b) Every 4 years or at any other time within that period that an
8 entity considers appropriate, the entity shall request the information specified in
9 sub. (2) (b) 1. a. to d. 5. for all persons ~~specified in sub. (2) (ag) (intro.)~~ who are
10 ~~employees or contractors~~ caregivers of the entity.

11 **SECTION 1521zg.** 50.065 (3m) of the statutes is amended to read:

12 50.065 (3m) Notwithstanding subs. (2) (b) ~~1.~~ and (3) (b), if the department
13 obtains the information required under sub. (2) (am) or (3) (a) with respect to a person
14 ~~specified in sub. (2) (a) (intro.)~~ who is a caregiver specified under sub. (1) (ag) 1. b.
15 and that person is also an employe, contractor or nonclient resident of the entity, the
16 entity is not required to obtain the information specified in sub. (2) (b) ~~1.~~ or (3) (b)
17 with respect to that person.

18 **SECTION 1521zh.** 50.065 (4) of the statutes is amended to read:

19 50.065 (4) An entity that violates sub. (2) ~~or~~ (3) or (4m) (b) may be required to
20 forfeit not more than \$1,000 and may be subject to other sanctions specified by the
21 department by rule.

22 **SECTION 1521zi.** 50.065 (4m) (b) (intro.) of the statutes, as affected by 1999
23 Wisconsin Act (this act), is amended to read:

24 50.065 (4m) (b) (intro.) Notwithstanding s. 111.335, and except as provided in
25 sub. (5), an entity may not ~~hire~~ employ or contract with a caregiver or permit to reside

1 at the entity a nonclient resident, if the entity knows or should have known any of
2 the following:

3 **SECTION 1521zj.** 50.065 (5) (intro.) of the statutes is renumbered 50.065 (5) and
4 amended to read:

5 50.065 (5) The department may license, certify, issue a certificate of approval
6 to or register to operate an entity a person who otherwise may not be licensed,
7 certified, issued a certificate of approval or registered for a reason specified in sub.
8 ~~(2)~~ (4m) (a) 1. to 5., and an entity may employ, contract with or permit to reside at
9 the entity a person who otherwise may not be employed, contracted with or permitted
10 to reside at the entity for a reason specified in sub. ~~(2)~~ ~~(ag)~~ (4m) (b) 1. to 5., if the
11 person demonstrates to the department, or, in the case of an entity that is located
12 within the boundaries of a reservation, to the person or body designated by the tribe
13 under sub. (5d) (a) 3., by clear and convincing evidence and in accordance with
14 procedures established by the department by rule, or by the tribe, that he or she has
15 been rehabilitated. ~~No person who has been convicted of any of the following offenses~~
16 ~~may be permitted to demonstrate that he or she has been rehabilitated:~~

17 **SECTION 1521zk.** 50.065 (5) (a) to (e) of the statutes are repealed.

18 **SECTION 1521zL.** 50.065 (5d) of the statutes is created to read:

19 50.065 (5d) (a) Any tribe that chooses to conduct rehabilitation reviews under
20 sub. (5) shall submit to the department a rehabilitation review plan that includes all
21 of the following:

22 1. The criteria to be used to determine if a person has been rehabilitated.

23 2. The title of the person or body designated by the tribe to whom a request for
24 review must be made.

1 3. The title of the person or body designated by the tribe to determine whether
2 a person has been rehabilitated.

3 3m. The title of the person or body designated by the tribe to whom a person
4 may appeal an adverse decision made by the person specified under subd. 3. and
5 whether the tribe provides any further rights of appeal.

6 4. The manner in which the tribe will submit information relating to a
7 rehabilitation review to the department so that the department may include that
8 information in its report to the legislature required under sub. (5g).

9 5. A copy of the form to be used to request a review and a copy of the form on
10 which a written decision is to be made regarding whether a person has demonstrated
11 rehabilitation.

12 (b) If, within 90 days after receiving the plan, the department does not
13 disapprove the plan, the plan shall be considered approved. If, within 90 days after
14 receiving the plan, the department disapproves the plan, the department shall
15 provide notice of that disapproval to the tribe in writing, together with the reasons
16 for the disapproval. The department may not disapprove a plan unless the
17 department finds that the plan is not rationally related to the protection of clients.
18 If the department disapproves the plan, the tribe may, within 30 days after receiving
19 notice of the disapproval, request that the secretary review the department's
20 decision. A final decision under this paragraph is not subject to further review under
21 ch. 227.

22 **SECTION 1521zm.** 50.065 (5m) of the statutes is amended to read:

23 50.065 (5m) Notwithstanding s. 111.335, the department may refuse to license,
24 certify or register, or issue a certificate of approval to, a ~~person to operate an entity,~~
25 caregiver and an entity may refuse to employ, or contract with a caregiver or to

1 permit a nonclient resident to reside at the entity ~~a person specified in sub. (2) (ag)~~
2 ~~(intro.)~~, if the ~~person caregiver or nonclient resident~~ has been convicted of an offense
3 that the department has not defined as a “serious crime” by rule promulgated under
4 ~~sub. (7) (a), or specified in the list established by rule under sub. (7) (b)~~ is not a serious
5 crime, but that is, in the estimation of the department or entity, substantially related
6 to the care of a client.

7 **SECTION 1521zn.** 50.065 (6) (am) (intro.) of the statutes is renumbered 50.065
8 (6) (am) and amended to read:

9 50.065 **(6)** (am) Every 4 years an entity shall require ~~all of the following persons~~
10 its caregivers and nonclient residents to complete a background information form
11 that is provided to the entity by the department.

12 **SECTION 1521zp.** 50.065 (6) (am) 1. and 2. of the statutes are repealed.

13 **SECTION 1521zq.** 50.065 (6) (b) of the statutes is amended to read:

14 50.065 **(6)** (b) For ~~persons specified under par. (a)~~ caregivers who are licensed,
15 issued a certificate of approval or certified by, or registered with, the department, for
16 ~~person specified in par. (am) 2.~~ nonclient residents, and for other persons specified
17 by the department by rule, the entity shall send the background information form
18 to the department. ~~For persons specified under par. (am) 1., the entity shall maintain~~
19 ~~the background information form on file for inspection by the department.~~

20 **SECTION 1521zr.** 50.065 (7) (a) and (b) of the statutes are repealed.

21 **SECTION 1522.** 50.065 (8) of the statutes is amended to read:

22 50.065 **(8)** The department may charge a fee for obtaining the information
23 required under sub. (2) (am) or (3) (a) or for providing information to an entity to
24 enable the entity to comply with sub. (2) (b) or (3) (b). The fee may not exceed the
25 reasonable cost of obtaining the information. No fee may be charged to a nurse’s

1 assistant, as defined in s. 146.40 (1) (d), for obtaining or maintaining the information
2 if to do so would be inconsistent with federal law.

3 **SECTION 1522w.** 50.135 (1) of the statutes is amended to read:

4 50.135 (1) DEFINITION. In this section, “inpatient health care facility” means
5 any hospital, nursing home, county home, county mental hospital, ~~tuberculosis~~
6 ~~sanatorium~~ or other place licensed or approved by the department under ss. 49.70,
7 49.71, 49.72, 50.02, 50.03, 50.35, 51.08, and 51.09, ~~58.06, 252.073 and 252.076~~, but
8 does not include community-based residential facilities.

9 **SECTION 1524.** 50.135 (2) (c) of the statutes is amended to read:

10 50.135 (2) (c) The fees collected under par. (a) shall be credited to the
11 appropriations under s. 20.435 ~~(4)~~ (4) (gm) and (6) (jm) as specified in those
12 appropriations for licensing, review and certifying activities.

13 **SECTION 1525.** 50.36 (2) (c) of the statutes is created to read:

14 50.36 (2) (c) The department shall promulgate rules that require that a
15 hospital, before discharging a patient who is aged 65 or older or who has
16 developmental disability or physical disability and whose disability or condition
17 requires long-term care that is expected to last at least 90 days, refer the patient to
18 the resource center under s. 46.283. The rules shall specify that this requirement
19 applies only if the secretary has certified under s. 46.281 (3) that a resource center
20 is available for the hospital and for specified groups of eligible individuals that
21 include persons seeking admission to or patients of the hospital.

22 **SECTION 1526.** 50.38 of the statutes is created to read:

23 **50.38 Forfeitures. (1)** Whoever violates rules promulgated under s. 50.36 (2)
24 (c) may be required to forfeit not more than \$500 for each violation.

1 **(2)** The department may directly assess forfeitures provided for under sub. (1).
2 If the department determines that a forfeiture should be assessed for a particular
3 violation, the department shall send a notice of assessment to the hospital. The
4 notice shall specify the amount of the forfeiture assessed, the violation and the
5 statute or rule alleged to have been violated, and shall inform the hospital of the right
6 to a hearing under sub. (3).

7 **(3)** A hospital may contest an assessment of a forfeiture by sending, within 10
8 days after receipt of notice under sub. (2), a written request for a hearing under s.
9 227.44 to the division of hearings and appeals created under s. 15.103 (1). The
10 administrator of the division may designate a hearing examiner to preside over the
11 case and recommend a decision to the administrator under s. 227.46. The decision
12 of the administrator of the division shall be the final administrative decision. The
13 division shall commence the hearing within 30 days after receipt of the request for
14 a hearing and shall issue a final decision within 15 days after the close of the hearing.
15 Proceedings before the division are governed by ch. 227. In any petition for judicial
16 review of a decision by the division, the party, other than the petitioner, who was in
17 the proceeding before the division shall be the named respondent.

18 **(4)** All forfeitures shall be paid to the department within 10 days after receipt
19 of notice of assessment or, if the forfeiture is contested under sub. (3), within 10 days
20 after receipt of the final decision after exhaustion of administrative review, unless
21 the final decision is appealed and the order is stayed by court order. The department
22 shall remit all forfeitures paid to the state treasurer for deposit in the school fund.

23 **(5)** The attorney general may bring an action in the name of the state to collect
24 any forfeiture imposed under this section if the forfeiture has not been paid following

1 the exhaustion of all administrative and judicial reviews. The only issue to be
2 contested in any such action shall be whether the forfeiture has been paid.

3 **SECTION 1526g.** 50.39 (2) of the statutes is amended to read:

4 50.39 (2) The use of the title “hospital” to represent or identify any facility
5 which does not meet the definition of a “hospital” as provided herein or is not subject
6 to approval under ss. 50.32 to 50.39 is prohibited, except that institutions governed
7 by ~~ss. s. 51.09 and 252.073~~ are exempt.

8 **SECTION 1526h.** 50.39 (3) of the statutes is amended to read:

9 50.39 (3) Facilities governed by ss. 45.365, 48.62, 49.70, 49.72, 50.02, 51.09,
10 ~~58.06, 252.073, 252.076~~ and 252.10, secured correctional facilities as defined in s.
11 938.02 (15m), correctional institutions governed by the department of corrections
12 under s. 301.02 and the offices and clinics of persons licensed to treat the sick under
13 chs. 446, 447 and 448 are exempt from ss. 50.32 to 50.39. Sections 50.32 to 50.39 do
14 not abridge the rights of the medical examining board, physical therapists affiliated
15 credentialing board, podiatrists affiliated credentialing board, dentistry examining
16 board, pharmacy examining board, chiropractic examining board and board of
17 nursing in carrying out their statutory duties and responsibilities.

18 **SECTION 1529.** 50.49 (2) (b) of the statutes is amended to read:

19 50.49 (2) (b) The department shall, by rule, set a license fee to be paid by home
20 health agencies. ~~The fee shall be based on the annual net income, as determined by~~
21 ~~the department, of a home health agency.~~

22 **SECTION 1530.** 50.49 (4) of the statutes is amended to read:

23 50.49 (4) LICENSING, INSPECTION AND REGULATION. ~~The~~ Except as provided in sub.
24 (6m), the department may register, license, inspect and regulate home health
25 agencies as provided in this section. The department shall ensure, in its inspections

1 of home health agencies, that a sampling of records from private pay patients are
2 reviewed. The department shall select the patients who shall receive home visits as
3 a part of the inspection. Results of the inspections shall be made available to the
4 public at each of the regional offices of the department.

5 **SECTION 1531.** 50.49 (6m) of the statutes is created to read:

6 50.49 (6m) EXCEPTIONS. None of the following is required to be licensed as a
7 home health agency under sub. (4), regardless of whether any of the following
8 provides services that are similar to services provided by a home health agency:

9 (a) A care management organization, as defined in s. 46.2805 (1).

10 (b) A program specified in s. 46.2805 (1) (a).

11 (c) A demonstration program specified in s. 46.2805 (1) (b).

12 **SECTION 1531g.** 50.498 (1) (intro.) of the statutes is amended to read:

13 50.498 (1) (intro.) The Except as provided in sub. (1m), the department shall
14 require each applicant to provide the department with his or her social security
15 number, if the applicant is an individual, or the applicant's federal employer
16 identification number, if the applicant is not an individual, as a condition of issuing
17 any of the following:

18 **SECTION 1531h.** 50.498 (1m) of the statutes is created to read:

19 50.498 (1m) If an individual who applies for a certificate of approval, license
20 or provisional license under sub. (1) does not have a social security number, the
21 individual, as a condition of obtaining the certificate of approval, license or
22 provisional license, shall submit a statement made or subscribed under oath or
23 affirmation to the department that the applicant does not have a social security
24 number. The form of the statement shall be prescribed by the department of

1 workforce development. A certificate of approval, license or provisional license
2 issued in reliance upon a false statement submitted under this subsection is invalid.

3 **SECTION 1531i.** 50.498 (3) of the statutes is amended to read:

4 50.498 (3) The Except as provided in sub. (1m), the department shall deny an
5 application for the issuance of a certificate of approval, license or provisional license
6 specified in sub. (1) if the applicant does not provide the information specified in sub.
7 (1).

8 **SECTION 1531r.** 50.94 of the statutes is created to read:

9 **50.94 Admission to and care in a hospice for certain incapacitated**
10 **persons. (1)** In this section:

11 (a) “Hospice care” means palliative care, respite care, short-term care or
12 supportive care.

13 (b) “Incapacitated” means unable to receive and evaluate information
14 effectively or to communicate decisions to such an extent that a person lacks the
15 capacity to manage his or her health care decisions.

16 (c) “Physician” means a person licensed to practice medicine and surgery under
17 ch. 448.

18 (d) “Terminal condition” means an incurable condition caused by injury, disease
19 or illness that according to reasonable medical judgment will produce death within
20 6 months, even with available life-sustaining treatment provided in accordance with
21 the prevailing standard of medical care.

22 **(2)** A person who is determined to be incapacitated under the requirements of
23 sub. (8), does not have a valid living will or valid power of attorney for health care
24 and has not been adjudicated incompetent under ch. 880 may be admitted to a
25 hospice under this section only if all of the following requirements are met:

1 (a) An individual who is specified in sub. (3) signs all of the following:

2 1. On behalf of the person who is incapacitated, an informed consent for the
3 receipt of hospice care by the person who is incapacitated.

4 2. A statement certifying that it is his or her belief, to the best of his or her
5 knowledge, that, if able to do so, the person who is incapacitated would have selected
6 hospice care.

7 (b) A physician certifies that the person who is incapacitated has a terminal
8 condition and that the physician believes that the individual under par. (a) is acting
9 in accordance with the views or beliefs of the person who is incapacitated.

10 **(3)** The following individuals, in the following order of priority, may act under
11 sub. (2) (a):

12 (a) The spouse of the person who is incapacitated.

13 (b) An adult child of the person who is incapacitated.

14 (c) A parent of the person who is incapacitated.

15 (d) An adult sibling of the person who is incapacitated.

16 (e) A close friend or a relative of the person who is incapacitated, other than as
17 specified in pars. (a) to (d), to whom all of the following apply:

18 1. The close friend or other relative is aged at least 18 and has maintained
19 sufficient regular contact with the person who is incapacitated to be familiar with the
20 person's activities, health and beliefs.

21 2. The close friend or other relative has exhibited special care and concern for
22 the incapacitated person.

23 **(4)** The individual who acts under sub. (2) (a) may make all health care
24 decisions related to receipt of hospice care by the person who is incapacitated.

1 **(5)** The person who is incapacitated or the individual under sub. (4) may object
2 to or revoke the election of hospice care at any time.

3 **(6)** A person who disagrees with a hospice decision made under this section may
4 apply under ch. 880 for temporary guardianship of the person who is incapacitated.
5 In applying for the temporary guardianship, such a person has the burden of proving
6 that the person who is incapacitated would not have consented to admission to a
7 hospice or hospice care.

8 **(7)** The individual who acts under sub. (2) (a) shall, if feasible, provide to all
9 other individuals listed under sub. (3) notice of the proposed admission of the person
10 who is incapacitated to a hospice and of the right to apply for temporary
11 guardianship under sub. (6). If it is not feasible for the individual to provide this
12 notice before admission of the person who is incapacitated to a hospice, the individual
13 who acts under sub. (2) (a) shall exercise reasonable diligence in providing the notice
14 within 48 hours after the admission.

15 **(8)** A determination that a person is incapacitated may be made only by 2
16 physicians or by one physician and one licensed psychologist, as defined in s. 455.01
17 (4), who personally examine the person and sign a statement specifying that the
18 person is incapacitated. Mere old age, eccentricity or physical disabilities, singly or
19 together, are insufficient to determine that a person is incapacitated. Whoever
20 determines that the person is incapacitated may not be a relative, as defined in s.
21 242.01 (11), of the person or have knowledge that he or she is entitled to or has claim
22 on any portion of the person's estate. A copy of the statement shall be included in the
23 records of the incapacitated person in the hospice to which he or she is admitted.

24 **SECTION 1532d.** 51.01 (14k) of the statutes is created to read:

1 51.01 **(14k)** “Secured child caring institution” has the meaning given in s.
2 938.02 (15g).

3 **SECTION 1533d.** 51.01 (14m) of the statutes is created to read:

4 51.01 **(14m)** “Secured correctional facility” has the meaning given in s. 938.02
5 (15m).

6 **SECTION 1534d.** 51.01 (14p) of the statutes is created to read:

7 51.01 **(14p)** “Secured group home” has the meaning given in s. 938.02 (15p).

8 **SECTION 1535.** 51.03 (1) of the statutes is renumbered 51.03 (1r).

9 **SECTION 1536.** 51.03 (1g) of the statutes is created to read:

10 51.03 **(1g)** In this section:

11 (a) “Early intervention” means action to hinder or alter a person’s mental
12 disorder or abuse of alcohol or other drugs in order to reduce the duration of early
13 symptoms or to reduce the duration or severity of mental illness or alcohol or other
14 drug abuse that may result.

15 (b) “Individualized service planning” means a process under which a person
16 with mental illness or who abuses alcohol or other drugs and, if a child, his or her
17 family, receives information, education and skills to enable the person to participate
18 mutually and creatively with his or her mental health or alcohol or other drug abuse
19 service provider in identifying his or her personal goals and developing his or her
20 assessment, crisis protocol, treatment and treatment plan. “Individualized service
21 planning” is tailored to the person and is based on his or her strengths, abilities and
22 needs.

23 (c) “Prevention” means action to reduce the instance, delay the onset or lessen
24 the severity of mental disorder, before the disorders may progress to mental illness,

1 by reducing risk factors for, enhancing protections against and promptly treating
2 early warning signs of mental disorder.

3 (d) “Recovery” means the process of a person’s growth and improvement,
4 despite a history of mental illness or alcohol or other drug abuse, in attitudes,
5 feelings, values, goals, skills and behavior and is measured by a decrease in
6 dysfunctional symptoms and an increase in maintaining the person’s highest level
7 of health, wellness, stability, self–determination and self–sufficiency.

8 (e) “Stigma” means disqualification from social acceptance, derogation,
9 marginalization and ostracism encountered by persons with mental illness or
10 persons who abuse alcohol or other drugs as the result of societal negative attitudes,
11 feelings, perceptions, representations and acts of discrimination.

12 **SECTION 1537.** 51.03 (4) of the statutes is created to read:

13 51.03 (4) Within the limits of available state and federal funds, the department
14 may do all of the following:

15 (a) Promote the creation of coalitions among the state, counties, providers of
16 mental health and alcohol and other drug abuse services, consumers of the services
17 and their families and advocates for persons with mental illness and for alcoholic and
18 drug dependent persons to develop, coordinate and provide a full range of resources
19 to advance prevention; early intervention; treatment; recovery; safe and affordable
20 housing; opportunities for education, employment and recreation; family and peer
21 support; self–help; and the safety and well–being of communities.

22 (b) In cooperation with counties, providers of mental health and alcohol and
23 other drug abuse services, consumers of the services, interested community
24 members and advocates for persons with mental illness and for alcoholic and drug
25 dependent persons, develop and implement a comprehensive strategy to reduce

1 stigma of and discrimination against persons with mental illness, alcoholics and
2 drug dependent persons.

3 (c) Develop and implement a comprehensive strategy to involve counties,
4 providers of mental health and alcohol and other drug abuse services, consumers of
5 the services and their families, interested community members and advocates for
6 persons with mental illness and for alcoholic and drug dependent persons as equal
7 participants in service system planning and delivery.

8 (d) Promote responsible stewardship of human and fiscal resources in the
9 provision of mental health and alcohol and other drug abuse services.

10 (e) Develop and implement methods to identify and measure outcomes for
11 consumers of mental health and alcohol and other drug abuse services.

12 (f) Promote access to appropriate mental health and alcohol and other drug
13 abuse services regardless of a person's geographic location, age, degree of mental
14 illness, alcoholism or drug dependency or availability of personal financial resources.

15 (g) Promote consumer decision making to enable persons with mental illness
16 and alcohol or drug dependency to be more self-sufficient.

17 (h) Promote use by providers of mental health and alcohol and other drug abuse
18 services of individualized service planning, under which the providers develop
19 written individualized service plans that promote treatment and recovery, together
20 with service consumers, families of service consumers who are children and
21 advocates chosen by consumers.

22 **SECTION 1538.** 51.03 (5) of the statutes is created to read:

23 51.03 (5) The department shall ensure that providers of mental health and
24 alcohol and other drug abuse services who use individualized service plans, as
25 specified in sub. (4) (h), do all of the following in using a plan:

- 1 (a) Establish meaningful and measurable goals for the consumer.
- 2 (b) Base the plan on a comprehensive assessment of the consumer's strengths,
3 abilities, needs and preferences.
- 4 (c) Keep the plan current.
- 5 (d) Modify the plan as necessary.

6 **SECTION 1538p.** 51.032 (1) (intro.) of the statutes is amended to read:

7 51.032 (1) (intro.) The Except as provided in sub. (1m), the department shall
8 require each applicant to provide the department with his or her social security
9 number, if the applicant is an individual, or the applicant's federal employer
10 identification number, if the applicant is not an individual, as a condition of issuing
11 any of the following:

12 **SECTION 1538q.** 51.032 (1m) of the statutes is created to read:

13 51.032 (1m) If an individual who applies for a certification or approval under
14 sub. (1) does not have a social security number, the individual, as a condition of
15 obtaining the certification or approval, shall submit a statement made or subscribed
16 under oath or affirmation to the department that the applicant does not have a social
17 security number. The form of the statement shall be prescribed by the department
18 of workforce development. A certification or approval issued in reliance upon a false
19 statement submitted under this subsection is invalid.

20 **SECTION 1538r.** 51.032 (3) of the statutes is amended to read:

21 51.032 (3) The Except as provided in sub. (1m), the department shall deny an
22 application for the issuance of a certification or approval specified in sub. (1) if the
23 applicant does not provide the information specified in sub. (1).

24 **SECTION 1539d.** 51.05 (2) of the statutes is amended to read:

1 51.05 (2) The department may not accept for admission to a mental health
2 institute any resident person, except in an emergency, unless the county department
3 under s. 51.42 in the county where the person has legal residency authorizes the care,
4 as provided in s. 51.42 (3) (as). Patients who are committed to the department under
5 s. 975.01, 1977 stats., or s. 975.02, 1977 stats., or s. 971.14, 971.17, 975.06 or 980.06,
6 admitted by the department under s. 975.17, 1977 stats., or are transferred from a
7 juvenile secured correctional facility ~~or, a secured child caring institution, as defined~~
8 ~~in s. 938.02 (15g), or a secured group home~~ to a state treatment facility under s. 51.35
9 (3) or from a jail or prison to a state treatment facility under s. 51.37 (5) are not
10 subject to this section.

11 **SECTION 1540.** 51.06 (1) (d) of the statutes is amended to read:

12 51.06 (1) (d) ~~At the southern center for developmentally disabled, services~~
13 Services for up to ~~40~~ 36 individuals with developmental disability who are also
14 diagnosed as mentally ill or who exhibit extremely aggressive and challenging
15 behaviors and ~~at the northern center for developmentally disabled, services for up~~
16 ~~to 12 such individuals.~~

17 **SECTION 1541.** 51.07 (3) of the statutes is amended to read:

18 51.07 (3) The department may provide outpatient services only to patients
19 contracted for with county departments under ss. 51.42 and 51.437 in accordance
20 with s. 46.03 (18), except for those patients whom the department finds to be
21 nonresidents of this state and ~~those patients specified in sub. (4) (a)~~ persons receiving
22 services under contracts under s. 46.043. The full and actual cost less applicable
23 collections of services contracted for with county departments under s. 51.42 or
24 51.437 shall be charged to the respective county department under s. 51.42 or 51.437.
25 The state shall provide the services required for patient care only if no outpatient

1 services are funded by the department in the county or group of counties served by
2 the respective county department under s. 51.42 or 51.437.

3 **SECTION 1542.** 51.07 (4) of the statutes is repealed.

4 **SECTION 1555d.** 51.35 (3) (title) of the statutes is amended to read:

5 51.35 (3) (title) ~~TRANSFER OF CERTAIN JUVENILES FROM JUVENILE-CORRECTIONAL~~
6 ~~SECURED JUVENILE FACILITIES AND SECURED CHILD-CARING INSTITUTIONS.~~

7 **SECTION 1556d.** 51.35 (3) (a) of the statutes is amended to read:

8 51.35 (3) (a) A licensed psychologist of a juvenile secured correctional facility
9 or a secured child caring institution, ~~as defined in s. 938.02 (15g)~~, or a licensed
10 physician of the department of corrections, who has reason to believe that any
11 individual confined in the ~~facility or institution~~ secured correctional facility, secured
12 child caring institution or secured group home is, in his or her opinion, in need of
13 services for developmental disability, alcoholism or drug dependency or in need of
14 psychiatric services, and who has obtained voluntary consent to make a transfer for
15 treatment, shall make a report, in writing, to the superintendent of the ~~facility or~~
16 ~~institution~~ secured correctional facility, secured child caring institution or secured
17 group home, stating the nature and basis of the belief and verifying the consent. In
18 the case of a minor age 14 and over, the minor and the minor's parent or guardian
19 shall consent unless the minor is admitted under s. 51.13 (1) (c); and in the case of
20 a minor under the age of 14, only the minor's parent or guardian need consent. The
21 superintendent shall inform, orally and in writing, the minor and the minor's parent
22 or guardian, that transfer is being considered and shall inform them of the basis for
23 the request and their rights as provided in s. 51.13 (3). If the department of
24 corrections, upon review of a request for transfer, determines that transfer is
25 appropriate, that department shall immediately notify the department of health and

1 family services and, if the department of health and family services consents, the
2 department of corrections may immediately transfer the individual. The
3 department of ~~corrections~~ health and family services shall file a petition under s.
4 51.13 (4) (a) in the court assigned to exercise jurisdiction under chs. 48 and 938 of the
5 county where the treatment facility is located.

6 **SECTION 1557d.** 51.35 (3) (c) of the statutes is amended to read:

7 51.35 (3) (c) A licensed psychologist of a ~~juvenile~~ secured correctional facility
8 or a secured child caring institution, ~~as defined in s. 938.02 (15g)~~, or a licensed
9 physician of the department of corrections, who has reason to believe that any
10 individual confined in the ~~facility or institution~~ secured correctional facility, secured
11 child caring institution or secured group home, in his or her opinion, is mentally ill,
12 drug dependent or developmentally disabled and is dangerous as described in s.
13 51.20 (1) (a) 2. a., b., c. or d., is mentally ill, is dangerous and satisfies the standard
14 under s. 51.20 (1) (a) 2. e. or is an alcoholic and is dangerous as described in s. 51.45
15 (13) (a) 1. and 2., shall file a written report with the superintendent of the ~~facility or~~
16 ~~institution~~ secured correctional facility, secured child caring institution or secured
17 group home, stating the nature and basis of the belief. If the superintendent, upon
18 review of the allegations in the report, determines that transfer is appropriate, he
19 or she shall file a petition according to s. 51.20 or 51.45 in the court assigned to
20 exercise jurisdiction under chs. 48 and 938 of the county where the secured
21 correctional facility or, secured child caring institution or secured group home is
22 located. The court shall hold a hearing according to procedures provided in s. 51.20
23 or 51.45 (13).

1 **SECTION 1558d.** 51.35 (3) (c) of the statutes, as affected by 1995 Wisconsin Act
2 292, section 28, and 1999 Wisconsin Act (this act), is repealed and recreated to
3 read:

4 51.35 (3) (c) A licensed psychologist of a secured correctional facility or a
5 secured child caring institution or a licensed physician of the department of
6 corrections, who has reason to believe that any individual confined in the secured
7 correctional facility, secured child caring institution or secured group home, in his
8 or her opinion, is mentally ill, drug dependent or developmentally disabled and is
9 dangerous as described in s. 51.20 (1) (a) 2., or is an alcoholic and is dangerous as
10 described in s. 51.45 (13) (a) 1. and 2., shall file a written report with the
11 superintendent of the secured correctional facility, secured child caring institution
12 or secured group home, stating the nature and basis of the belief. If the
13 superintendent, upon review of the allegations in the report, determines that
14 transfer is appropriate, he or she shall file a petition according to s. 51.20 or 51.45
15 in the court assigned to exercise jurisdiction under ch. 48 of the county where the
16 secured correctional facility, secured child caring institution or secured group home
17 is located. The court shall hold a hearing according to procedures provided in s. 51.20
18 or 51.45 (13).

19 **SECTION 1559d.** 51.35 (3) (e) of the statutes is amended to read:

20 51.35 (3) (e) The department of corrections may authorize emergency transfer
21 of an individual from a juvenile secured correctional facility or, a secured child caring
22 institution, ~~as defined in s. 938.02 (15g),~~ or a secured group home to a state treatment
23 facility if there is cause to believe that the individual is mentally ill, drug dependent
24 or developmentally disabled and exhibits conduct which constitutes a danger as
25 described under s. 51.20 (1) (a) 2. a., b., c. or d. to the individual or to others, is

1 mentally ill, is dangerous and satisfies the standard under s. 51.20 (1) (a) 2. e. or is
2 an alcoholic and is dangerous as provided in s. 51.45 (13) (a) 1. and 2. The custodian
3 of the sending ~~facility or institution~~ secured correctional facility, secured child caring
4 institution or secured group home shall execute a statement of emergency detention
5 or petition for emergency commitment for the individual and deliver it to the
6 receiving state treatment facility. The department of health and family services
7 shall file the statement or petition with the court within 24 hours after the subject
8 individual is received for detention or commitment. The statement or petition shall
9 conform to s. 51.15 (4) or (5) or 51.45 (12) (b). After an emergency transfer is made,
10 the director of the receiving facility may file a petition for continued commitment
11 under s. 51.20 (1) or 51.45 (13) or may return the individual to the ~~facility or~~
12 ~~institution~~ secured correctional facility, secured child caring institution or secured
13 group home from which the transfer was made. As an alternative to this procedure,
14 the procedure provided in s. 51.15 or 51.45 (12) may be used, except that no ~~prisoner~~
15 individual may be released without the approval of the court which directed
16 confinement in the secured correctional facility ~~or~~ secured child caring institution
17 or secured group home.

18 **SECTION 1560d.** 51.35 (3) (e) of the statutes, as affected by 1995 Wisconsin Act
19 292, section 28, and 1999 Wisconsin Act (this act), is repealed and recreated to
20 read:

21 51.35 (3) (e) The department of corrections may authorize emergency transfer
22 of an individual from a secured correctional facility, a secured child caring institution
23 or a secured group home to a state treatment facility if there is cause to believe that
24 the individual is mentally ill, drug dependent or developmentally disabled and
25 exhibits conduct which constitutes a danger as described under s. 51.20 (1) (a) 2. to

1 the individual or to others, or is an alcoholic and is dangerous as provided in s. 51.45
2 (13) (a) 1. and 2. The custodian of the sending secured correctional facility, secured
3 child caring institution or secured group home shall execute a statement of
4 emergency detention or petition for emergency commitment for the individual and
5 deliver it to the receiving state treatment facility. The department of health and
6 family services shall file the statement or petition with the court within 24 hours
7 after the subject individual is received for detention or commitment. The statement
8 or petition shall conform to s. 51.15 (4) or (5) or 51.45 (12) (b). After an emergency
9 transfer is made, the director of the receiving facility may file a petition for continued
10 commitment under s. 51.20 (1) or 51.45 (13) or may return the individual to the
11 secured correctional facility, secured child caring institution or secured group home
12 from which the transfer was made. As an alternative to this procedure, the
13 procedure provided in s. 51.15 or 51.45 (12) may be used, except that no individual
14 may be released without the approval of the court which directed confinement in the
15 secured correctional facility, secured child caring institution or secured group home.

16 **SECTION 1561d.** 51.35 (3) (g) of the statutes is amended to read:

17 51.35 (3) (g) A minor 14 years of age or older who is transferred to a treatment
18 facility under par. (a) may request in writing a return to the juvenile secured
19 correctional facility or, secured child caring institution, as defined in s. 938.02 (15g)
20 or secured group home. In the case of a minor under 14 years of age, the parent or
21 guardian may make the request. Upon receipt of a request for return from a minor
22 14 years of age or over, the director shall immediately notify the minor's parent or
23 guardian. The minor shall be returned to the juvenile secured correctional facility
24 or, secured child caring institution or secured group home within 48 hours after
25 submission of the request unless a petition or statement is filed for emergency

1 detention, emergency commitment, involuntary commitment or protective
2 placement.

3 **SECTION 1562.** 51.42 (3) (ar) 17. of the statutes is created to read:

4 51.42 (3) (ar) 17. If authorized under s. 46.283 (1) (a) 1., apply to the department
5 of health and family services to operate a resource center under s. 46.283 and, if the
6 department contracts with the county under s. 46.283 (2), operate the resource
7 center.

8 **SECTION 1563.** 51.42 (3) (ar) 18. of the statutes is created to read:

9 51.42 (3) (ar) 18. If authorized under s. 46.284 (1) (a) 1., apply to the department
10 of health and family services to operate a care management organization under s.
11 46.284 and, if the department contracts with the county under s. 46.284 (2), operate
12 the care management organization and, if appropriate, place funds in a risk reserve.

13 **SECTION 1564.** 51.42 (3) (as) 3. of the statutes is amended to read:

14 51.42 (3) (as) 3. Care, services and supplies provided after December 31, 1973,
15 to any person who, on December 31, 1973, was in or under the supervision of a
16 mental health institute, or was receiving mental health services in a facility
17 authorized by s. 51.08 or 51.09, but was not admitted to a mental health institute by
18 the department of health and family services, shall be charged to the county
19 department of community programs which was responsible for such care and
20 services at the place where the patient resided when admitted to the institution. The
21 department of health and family services shall may bill county departments of
22 community programs for care provided at the mental health institutes at rates which
23 ~~reflects the estimated per diem cost of specific levels of care, to be adjusted~~
24 periodically by the department of health and family services sets on a flexible basis.

1 except that this flexible rate structure shall cover the cost of operations of the mental
2 health institutes.

3 **SECTION 1565.** 51.42 (3) (aw) 1. d. of the statutes is amended to read:

4 51.42 (3) (aw) 1. d. Provide treatment and services that are specified in a
5 conditional release plan approved by a court for a person who is a county resident and
6 is conditionally released under s. 971.17 (3) or (4) or that are specified in a supervised
7 release plan approved by a court under s. 980.06 (2) (c), 1997 stats., or s. 980.08 (5).
8 If the county department provides treatment and services under this subdivision, the
9 department of health and family services shall, from the appropriation under s.
10 20.435 (2) (bj), pay the county department for the costs of the treatment and services.

11 **SECTION 1566.** 51.42 (3) (e) of the statutes is amended to read:

12 51.42 (3) (e) *Exchange of information.* Notwithstanding ss. 46.2895 (9), 48.78
13 (2) (a), 49.45 (4), 49.83, 51.30, 51.45 (14) (a), 55.06 (17) (c), 146.82, 252.11 (7), 253.07
14 (3) (c) and 938.78 (2) (a), any subunit of a county department of community programs
15 acting under this section may exchange confidential information about a client,
16 without the informed consent of the client, with any other subunit of the same county
17 department of community programs, with a resource center, care management
18 organization or family care district, or with any person providing services to the
19 client under a purchase of services contract with the county department of
20 community programs or with a resource center, care management organization or
21 family care district, if necessary to enable an employe or service provider to perform
22 his or her duties, or to enable the county department of community programs to
23 coordinate the delivery of services to the client.

24 **SECTION 1568.** 51.423 (2) of the statutes is amended to read:

1 51.423 (2) From the appropriations under s. 20.435 (3) (o) and (7) (b), (kw) and
2 (o), the department shall distribute the funding for services provided or purchased
3 by county departments under s. 46.23, 51.42 or 51.437 to such county departments
4 as provided under s. 46.40. County matching funds are required for the distributions
5 under s. 46.40 (2) and (9) (b). Each county's required match for the distributions
6 under s. 46.40 (2) for a year equals 9.89% of the total of the county's distributions
7 under s. 46.40 (2) for that year for which matching funds are required plus the
8 amount the county was required by s. 46.26 (2) (c), 1985 stats., to spend for juvenile
9 delinquency-related services from its distribution for 1987. Each county's required
10 match for the distribution under s. 46.40 (9) (b) for a year equals 9.89% of that
11 county's amounts described in s. 46.40 (9) (a) (intro.) for that year. Matching funds
12 may be from county tax levies, federal and state revenue sharing funds or private
13 donations to the counties that meet the requirements specified in sub. (5). Private
14 donations may not exceed 25% of the total county match. If the county match is less
15 than the amount required to generate the full amount of state and federal funds
16 distributed for this period, the decrease in the amount of state and federal funds
17 equals the difference between the required and the actual amount of county
18 matching funds.

19 **SECTION 1570.** 51.437 (4m) (n) of the statutes is created to read:

20 51.437 (4m) (n) If authorized under s. 46.283 (1) (a) 1., apply to the department
21 of health and family services to operate a resource center under s. 46.283 and, if the
22 department contracts with the county under s. 46.283 (2), operate the resource
23 center.

24 **SECTION 1571.** 51.437 (4m) (p) of the statutes is created to read:

1 51.437 **(4m)** (p) If authorized under s. 46.284 (1) (a) 1., apply to the department
2 of health and family services to operate a care management organization under s.
3 46.284 and, if the department contracts with the county under s. 46.284 (2), operate
4 the care management organization and, if appropriate, place funds in a risk reserve.

5 **SECTION 1572.** 51.437 (4r) (b) of the statutes is amended to read:

6 51.437 **(4r)** (b) Notwithstanding ss. 46.2895 (9), 48.78 (2) (a), 49.45 (4), 49.83,
7 51.30, 51.45 (14) (a), 55.06 (17) (c), 146.82, 252.11 (7), 253.07 (3) (c) and 938.78 (2) (a),
8 any subunit of the county department of developmental disabilities services acting
9 under this section may exchange confidential information about a client, without the
10 informed consent of the client, with any other subunit of the same county department
11 of developmental disabilities services, with a resource center, care management
12 organization or family care district, or with any person providing services to the
13 client under a purchase of services contract with the county department of
14 developmental disabilities services or with a resource center, care management
15 organization or family care district, if necessary to enable an employe or service
16 provider to perform his or her duties, or to enable the county department of
17 developmental disabilities services to coordinate the delivery of services to the client.

18 **SECTION 1573.** 51.45 (5) of the statutes is repealed.

19 **SECTION 1573g.** 51.48 of the statutes is created to read:

20 **51.48 Alcohol and other drug testing of minors.** A minor's parent or
21 guardian may consent to have the minor tested for the presence of alcohol or other
22 drugs in the minor's body. Consent of the minor is not required under this section.

23 **SECTION 1573m.** 58.06 of the statutes is repealed.

24 **SECTION 1575t.** 59.23 (2) (i) of the statutes is repealed.

25 **SECTION 1576.** 59.25 (3) (f) 2. of the statutes is amended to read:

1 59.25 (3) (f) 2. For all court imposed fines and forfeitures required by law to be
2 deposited in the state treasury, the amounts required by s. ~~165.87~~ 757.05 for the
3 penalty assessment surcharge, the amounts required by s. 165.755 for the crime
4 laboratories and drug law enforcement assessment, the amounts required by s.
5 167.31 (5) for the weapons assessment, the amounts required by s. 973.045 for the
6 crime victim and witness assistance surcharge, the amounts required by s. 938.34
7 (8d) for the delinquency victim and witness assistance surcharge, the amounts
8 required by s. 973.046 for the deoxyribonucleic acid analysis surcharge, the amounts
9 required by s. 961.41 (5) for the drug abuse program improvement surcharge, the
10 amounts required by s. 100.261 for the consumer information assessment, the
11 amounts authorized by s. 971.37 (1m) (c) 1. or required by s. 973.055 (1) for the
12 domestic abuse assessment, the amounts required by s. 253.06 (4) (c) for the
13 enforcement assessment under the supplemental food program for women, infants
14 and children, the amounts required by ss. 346.177, 346.495 and 346.65 (4r) for the
15 railroad crossing improvement assessment, the amounts required by s. 346.655 (2)
16 (a) and (b) for the driver improvement surcharge, the amounts required by s. 102.85
17 (4) for the uninsured employer assessment, the amounts required by s. 299.93 for the
18 environmental assessment, the amounts required by s. 29.983 for the wild animal
19 protection assessment, the amounts required by s. 29.987 for the natural resources
20 assessment surcharge, the amounts required by s. 29.985 for the fishing shelter
21 removal assessment, the amounts required by s. 350.115 for the snowmobile
22 registration restitution payment and the amounts required by s. 29.989 for natural
23 resources restitution payments, transmit to the state treasurer a statement of all
24 moneys required by law to be paid on the actions entered during the preceding month
25 on or before the first day of the next succeeding month, certified by the county

1 treasurer's personal signature affixed or attached thereto, and at the same time pay
2 to the state treasurer the amount thereof.

3 **SECTION 1576m.** 59.25 (3) (r) of the statutes is repealed.

4 **SECTION 1577.** 59.40 (2) (m) of the statutes is amended to read:

5 59.40 (2) (m) Pay monthly to the treasurer for the use of the state the state's
6 percentage of the fees required to be paid on each civil action, criminal action and
7 special proceeding filed during the preceding month and pay monthly to the
8 treasurer for the use of the state the percentage of court imposed fines and forfeitures
9 required by law to be deposited in the state treasury, the amounts required by s.
10 ~~165.87 (2) (b)~~ 757.05 for the penalty assessment surcharge, the amounts required by
11 s. 165.755 for the crime laboratories and drug law enforcement assessment, the
12 amounts required by s. 167.31 (5) for the weapons assessment, the amounts required
13 by s. 973.045 for the crime victim and witness assistance surcharge, the amounts
14 required by s. 938.34 (8d) for the delinquency victim and witness assistance
15 surcharge, the amounts required by s. 973.046 for the deoxyribonucleic acid analysis
16 surcharge, the amounts required by s. 961.41 (5) for the drug abuse program
17 improvement surcharge, the amounts required by s. 100.261 for the consumer
18 information assessment, the amounts authorized by s. 971.37 (1m) (c) 1. or required
19 by s. 973.055 for the domestic abuse assessment surcharge, the amounts required by
20 s. 253.06 (4) (c) for the enforcement assessment under the supplemental food
21 program for women, infants and children, the amounts required by ss. 346.177,
22 346.495 and 346.65 (4r) for the railroad crossing improvement assessment, the
23 amounts required by s. 346.655 for the driver improvement surcharge, the amounts
24 required by s. 102.85 (4) for the uninsured employer assessment, the amounts
25 required by s. 299.93 for the environmental assessment, the amounts required under

1 s. 29.983 for the wild animal protection assessment, the amounts required under s.
2 29.987 (1) (d) for the natural resources assessment surcharge, the amounts required
3 by s. 29.985 for the fishing shelter removal assessment, the amounts required by s.
4 350.115 for the snowmobile registration restitution payment and the amounts
5 required under s. 29.989 (1) (d) for the natural resources restitution payments. The
6 payments shall be made by the 15th day of the month following receipt thereof.

7 **SECTION 1577p.** 59.52 (29) (a) of the statutes is amended to read:

8 59.52 (29) (a) All public work, including any contract for the construction,
9 repair, remodeling or improvement of any public work, building, or furnishing of
10 supplies or material of any kind where the estimated cost of such work will exceed
11 ~~\$20,000~~ \$25,000 shall be let by contract to the lowest responsible bidder. Any public
12 work, the estimated cost of which does not exceed ~~\$20,000~~ \$25,000, shall be let as the
13 board may direct. If the estimated cost of any public work is between \$5,000 and
14 ~~\$20,000~~ \$25,000, the board shall give a class 1 notice under ch. 985 before it contracts
15 for the work or shall contract with a person qualified as a bidder under s. 66.29 (2).
16 A contract, the estimated cost of which exceeds ~~\$20,000~~ \$25,000, shall be let and
17 entered into under s. 66.29, except that the board may by a three-fourths vote of all
18 the members entitled to a seat provide that any class of public work or any part
19 thereof may be done directly by the county without submitting the same for bids.
20 This subsection does not apply to public construction if the materials for such a
21 project are donated or if the labor for such a project is provided by volunteers. This
22 subsection does not apply to highway contracts which the county highway committee
23 or the county highway commissioner is authorized by law to let or make.

24 **SECTION 1578.** 59.69 (3) (a) of the statutes is amended to read:

1 59.69 (3) (a) The county zoning agency ~~shall~~ may direct the preparation of a
2 county development plan or parts thereof for the physical development of the
3 unincorporated territory within the county and areas within incorporated
4 jurisdictions whose governing bodies by resolution agree to having their areas
5 included in the county’s development plan. The plan may be adopted in whole or in
6 part and may be amended by the board and endorsed by the governing bodies of
7 incorporated jurisdictions included in the plan. The county development plan, in
8 whole or in part, in its original form or as amended, is hereafter referred to as the
9 development plan. The development plan shall contain at least the elements
10 described in s. 66.0295.

11 **SECTION 1579.** 59.69 (3) (b) of the statutes is repealed and recreated to read:

12 59.69 (3) (b) The development plan shall include the master plan, if any, of any
13 city or village, which was adopted under s. 62.23 (2) or (3) and the official map, if any,
14 of such city or village, which was adopted under s. 62.23 (6) in the county, without
15 change.

16 **SECTION 1579n.** 59.692 (1) (bn) of the statutes is created to read:

17 59.692 (1) (bn) “Shoreland setback area” means an area in a shoreland that is
18 within a certain distance of the ordinary high–water mark in which the construction
19 or placement of buildings or structures has been limited or prohibited under an
20 ordinance enacted under this section.

21 **SECTION 1579p.** 59.692 (1) (d) of the statutes is created to read:

22 59.692 (1) (d) “Special zoning permission” has the meaning given in s. 59.69
23 (15) (g).

24 **SECTION 1579r.** 59.692 (1v) of the statutes is created to read:

1 59.692 **(1v)** A county shall grant special zoning permission for the construction
2 or placement of a structure on property in a shoreland setback area if all of the
3 following apply:

4 (a) The part of the structure that is nearest to the water is located at least 35
5 feet landward from the ordinary high–water mark.

6 (b) The total floor area of all of the structures in the shoreland setback area of
7 the property will not exceed 200 square feet. In calculating this square footage,
8 boathouses shall be excluded.

9 (c) The structure that is the subject of the request for special zoning permission
10 has no sides or has open or screened sides.

11 (d) The county must approve a plan that will be implemented by the owner of
12 the property to preserve or establish a vegetative buffer zone that covers at least 70%
13 of the half of the shoreland setback area that is nearest to the water.

14 **SECTION 1579u.** 59.692 (6m) of the statutes is created to read:

15 59.692 **(6m)** For an amendment to an ordinance enacted under this section that
16 affects an activity that meets all of the requirements under s. 281.165 (2) or (3) (a),
17 the department may not proceed under sub. (6) or (7) (b) or (c), or otherwise review
18 the amendment, to determine whether the ordinance, as amended, fails to meet the
19 shoreland zoning standards.

20 **SECTION 1580m.** 59.79 (13) of the statutes is created to read:

21 59.79 **(13)** DESIGN–BUILD CONSTRUCTION PROCESS. Let a contract for the
22 construction of a sheriff’s department training academy, that is located in the county,
23 using the design–build construction process, as defined in s. 66.904 (2) (f). Section
24 66.904 (2) (f) to (i), as it applies to a metropolitan sewerage commission acting under
25 that subsection, applies to the board acting under this subsection.

1 **SECTION 1580n.** 60.47 (2) (a) of the statutes is amended to read:

2 60.47 (2) (a) No town may enter into a public contract with an estimated cost
3 of more than \$5,000 but not more than ~~\$10,000~~ \$15,000 unless the town board, or a
4 town official or employe designated by the town board, gives a class 1 notice under
5 ch. 985 before execution of that public contract.

6 **SECTION 1580nc.** 60.47 (2) (b) of the statutes is amended to read:

7 60.47 (2) (b) No town may enter into a public contract with a value of more than
8 ~~\$10,000~~ \$15,000 unless the town board, or a town official or employe designated by
9 the town board, advertises for proposals to perform the terms of the public contract
10 by publishing a class 2 notice under ch. 985. The town board may provide for
11 additional means of advertising for bids.

12 **SECTION 1580ni.** 60.47 (5) of the statutes is amended to read:

13 60.47 (5) EXCEPTION FOR EMERGENCIES AND DONATED MATERIALS AND LABOR. This
14 section is optional with respect to public contracts for the repair and construction of
15 public facilities when damage or threatened damage to the facility creates an
16 emergency, as declared by resolution of the town board, that endangers the public
17 health or welfare of the town. This subsection no longer applies when the town board
18 declares that the emergency no longer exists. This section is optional with respect
19 to a public contract if the materials related to the contract are donated or if the labor
20 that is necessary to execute the public contract is provided by volunteers.

21 **SECTION 1580p.** 60.615 of the statutes is created to read:

22 **60.615 Town of Troy farmland preservation pilot program; special**
23 **zoning powers, purchase of development rights. (1) TOWN BOARD PURCHASE OF**
24 **DEVELOPMENT RIGHTS. (a) Definitions.** In this section:

25 1. “Board” means the town of Troy board of supervisors.

1 2. “Developer” means a person that constructs or creates a land development.

2 3. “Development rights” means a holder’s nonpossessory interest in farmland
3 that imposes a limitation or affirmative obligation the purpose of which is to retain
4 or protect natural, scenic or open space values of farmland, assuring the availability
5 of farmland for agricultural, forest, wildlife habitat, recreational or open space use,
6 protecting natural resources or maintaining or enhancing air or water quality.

7 4. “Farmland” has the meaning given for eligible farmland under s. 91.01 (6).

8 5. “Land development” means the construction of residential dwelling units
9 within the town of Troy in an area that is rezoned under sub. (2).

10 6. “Town of Troy” means the town of Troy in St. Croix County.

11 (b) *Purchase of development rights.* 1. The board may purchase development
12 rights to farmland that is located in the town of Troy.

13 2. The town may purchase the development rights with the grant received from
14 the department of agriculture, trade and consumer protection under s. 20.115 (7) (dr)
15 or from funds received under sub. (2) (a). If the board adopts a resolution requesting
16 the department of agriculture, trade and consumer protection to make the grant
17 payment described under this subdivision, the department shall do so.

18 3. The board shall determine which farmland in the town is the best farmland
19 and shall attempt to purchase the development rights to that farmland.

20 **(2) REZONING.** (a) When the board rezones under s. 91.77 (1), a parcel that is
21 zoned for exclusive agricultural use under subch. V of ch. 91, the board may recover
22 an amount equal to the amount of tax credits that would be subject to a lien, as
23 calculated under s. 91.77 (2) on the parcel. The board may recover that amount either
24 by imposing a lien, in the manner provided in s. 91.19 (8) to (10), on the parcel or by
25 requiring payment from the developer who creates a land development on the parcel.

1 The board may use funds collected under this paragraph only for the purchase of
2 development rights under sub. (1) (b).

3 (b) The provisions of s. 91.77 (2) do not apply to a parcel that is rezoned under
4 par. (a) if the board recovers funds under par. (a).

5 **(3) SUNSET PROVISIONS.** Subsection (2) does not apply after the first day of the
6 12th month beginning after publication.

7 **SECTION 1582s.** 60.62 (4) (a) of the statutes is amended to read:

8 60.62 **(4)** (a) Notwithstanding ss. 61.35 and 62.23 (1) (a), a town with a
9 population of less than 2,500 that acts under this section may create a “Town Plan
10 Commission” under s. 62.23 (1) (a) that has 5 members, ~~consisting of the town~~
11 ~~chairperson, who shall be its presiding officer, the town engineer, the president of the~~
12 ~~park board, another member of the town board and one citizen. If the town plan~~
13 ~~commission has only 5 members and the town has no engineer or park board, an~~
14 ~~additional citizen member shall be appointed so that the commission has at all times~~
15 ~~5 members~~ all of whom shall be appointed by the town board chairperson, who shall
16 also select the presiding officer. The town board chairperson may appoint himself
17 or herself to the commission and may appoint other town elected or appointed
18 officials to the commission, except that the commission shall always have at least one
19 citizen member who is not a town official. All other provisions of ss. 61.35 and 62.23
20 shall apply to a town plan commission that has 5 members.

21 **SECTION 1582t.** 60.62 (4) (b) of the statutes is amended to read:

22 60.62 **(4)** (b) If a town plan commission consists of 7 members and the town
23 board enacts an ordinance or adopts a resolution reducing the size of the commission
24 to 5 members, the commission shall continue to operate with 6 or 7 members until
25 the expiration of the terms of the 2 citizen members, who were appointed under s.

1 62.23 (1) (e) (a), whose terms expire soonest after the effective date of the ordinance
2 or resolution that reduces the size of the commission.

3 **SECTION 1582u.** 60.62 (4) (c) of the statutes is amended to read:

4 60.62 **(4)** (c) If a town plan commission consists of 5 members and the town
5 board enacts an ordinance or adopts a resolution increasing the size of the
6 commission to 7 members, the town board chairperson shall appoint the 2 new
7 members under s. 62.23 (1) (e) (a).

8 **SECTION 1585m.** 61.55 of the statutes is amended to read:

9 **61.55 Contracts involving over \$10,000 \$15,000; how let; exception.** All
10 contracts for public construction, in any such village, exceeding \$10,000 \$15,000,
11 shall be let by the village board to the lowest responsible bidder in accordance with
12 s. 66.29 insofar as said section may be applicable. If the estimated cost of any public
13 construction exceeds \$5,000, but is not greater than \$10,000 \$15,000, the village
14 board shall give a class 1 notice, under ch. 985, of the proposed construction before
15 the contract for the construction is executed. This provision does not apply to public
16 construction if the materials for such a project are donated or if the labor for such a
17 project is provided by volunteers, and this provision and s. 281.41 are not mandatory
18 for the repair and reconstruction of public facilities when damage or threatened
19 damage thereto creates an emergency, as determined by resolution of the village
20 board, in which the public health or welfare of the village is endangered. Whenever
21 the village board by majority vote at a regular or special meeting declares that an
22 emergency no longer exists, this exemption no longer applies.

23 **SECTION 1588c.** 62.15 (1) of the statutes is amended to read:

24 62.15 **(1)** CONTRACTS; HOW LET; EXCEPTION FOR DONATED MATERIALS AND LABOR. All
25 public construction, the estimated cost of which exceeds \$10,000 \$15,000, shall be let

1 by contract to the lowest responsible bidder; all other public construction shall be let
2 as the council may direct. If the estimated cost of any public construction exceeds
3 \$5,000 but is not greater than ~~\$10,000~~ \$15,000, the board of public works shall give
4 a class 1 notice, under ch. 985, of the proposed construction before the contract for
5 the construction is executed. This provision does not apply to public construction if
6 the materials for such a project are donated or if the labor for such a project is
7 provided by volunteers. The council may also by a vote of three-fourths of all the
8 members-elect provide by ordinance that any class of public construction or any part
9 thereof may be done directly by the city without submitting the same for bids.

10 **SECTION 1589s.** 62.23 (1) (a) of the statutes is amended to read:

11 62.23 (1) (a) The council of any city may by ordinance create a “City Plan
12 Commission,” to consist of ~~the mayor, who shall be its presiding officer, the city~~
13 ~~engineer, the president of the park board, an alderperson, and 3 citizens.~~ In case the
14 city has no engineer or no park board, an additional citizen member shall be
15 appointed so that the board has at all times 7 members. All members of the
16 commission shall be appointed by the mayor, who shall also choose the presiding
17 officer. The mayor may appoint himself or herself to the commission and may
18 appoint other city elected or appointed officials, except that the commission shall
19 always have at least 3 citizen members who are not city officials. Citizen members
20 shall be persons of recognized experience and qualifications. The council may by
21 ordinance provide that the membership of the commission shall be as provided
22 thereunder.

23 **SECTION 1589t.** 62.23 (1) (b) of the statutes is repealed.

24 **SECTION 1589u.** 62.23 (1) (c) of the statutes is repealed.

25 **SECTION 1589v.** 62.23 (1) (d) of the statutes is amended to read:

1 62.23 (1) (d) ~~The additional citizen members, if any, of the commission shall be~~
2 ~~first appointed to hold office for a period ending one year from the succeeding May~~
3 ~~first, and thereafter annually~~ of 3 years. Appointments shall be made by the mayor
4 ~~during the month of April. Whenever a park board is created, or a city engineer~~
5 ~~appointed, the president of such board or such engineer shall succeed to a place on~~
6 ~~the commission when the term of an additional citizen member expires~~ for terms that
7 expire in April or at any other time if a vacancy occurs during the middle of a term.

8 **SECTION 1590.** 62.23 (2) of the statutes is amended to read:

9 62.23 (2) FUNCTIONS. It shall be the function and duty of the commission to
10 make and adopt a master plan for the physical development of the city, including any
11 areas outside of its boundaries which in the commission's judgment bear relation to
12 the development of the city provided, however, that in any county where a regional
13 planning department has been established, areas outside the boundaries of a city
14 may not be included in the master plan without the consent of the county board of
15 supervisors. The master plan, with the accompanying maps, plats, charts and
16 descriptive and explanatory matter, shall show the commission's recommendations
17 for such physical development, and ~~may include, among other things without~~
18 ~~limitation because of enumeration, the general location, character and extent of~~
19 ~~streets, highways, freeways, street grades, roadways, walks, bridges, viaducts,~~
20 ~~parking areas, tunnels, public places and areas, parks, parkways, playgrounds, sites~~
21 ~~for public buildings and structures, airports, pierhead and bulkhead lines,~~
22 ~~waterways, routes for railroads and buses, historic districts, and the general location~~
23 ~~and extent of sewers, water conduits and other public utilities whether privately or~~
24 ~~publicly owned, the acceptance, widening, narrowing, extension, relocation,~~
25 ~~removal, vacation, abandonment or change of use of any of the foregoing public ways,~~

1 ~~grounds, places, spaces, buildings, properties, utilities, routes or terminals, the~~
2 ~~general location, character and extent of community centers and neighborhood~~
3 ~~units, the general character, extent and layout of the replanning of blighted districts~~
4 ~~and slum areas, and a comprehensive zoning plan shall contain at least the elements~~
5 ~~described in s. 66.0295.~~ The commission may from time to time amend, extend or add
6 to the master plan or carry any part or subject matter into greater detail. The
7 commission may adopt rules for the transaction of business and shall keep a record
8 of its resolutions, transactions, findings and determinations, which record shall be
9 a public record.

10 **SECTION 1591.** 62.23 (3) (b) of the statutes is amended to read:

11 62.23 (3) (b) The commission may adopt the master plan as a whole by a single
12 resolution, or, as the work of making the whole master plan progresses, may from
13 time to time by resolution adopt a part or parts thereof, any such part to correspond
14 generally with one or more of the functional subdivisions of the subject matter of the
15 plan elements specified in s. 66.0295. The adoption of the plan or any part,
16 amendment or addition, shall be by resolution carried by the affirmative votes of not
17 less than a majority of all the members of the city plan commission. The resolution
18 shall refer expressly to the ~~maps, descriptive matter,~~ elements under s. 66.0295 and
19 other matters intended by the commission to form the whole or any part of the plan,
20 and the action taken shall be recorded on the adopted plan or part thereof by the
21 identifying signature of the secretary of the commission, and a copy of the plan or
22 part thereof shall be certified to the common council. The purpose and effect of the
23 adoption and certifying of the master plan or part thereof shall be solely to aid the
24 city plan commission and the council in the performance of their duties.

25 **SECTION 1591k.** 62.231 (6m) of the statutes is created to read:

1 **62.231 (6m)** CERTAIN AMENDMENTS TO ORDINANCES. For an amendment to an
2 ordinance enacted under this section that affects an activity that meets all of the
3 requirements under s. 281.165 (2) or (3) (a), the department of natural resources may
4 not proceed under sub. (6), or otherwise review the amendment, to determine
5 whether the ordinance, as amended, fails to meet reasonable minimum standards.

6 **SECTION 1592g.** 62.50 (23m) of the statutes is created to read:

7 **62.50 (23m)** FIREARM LAW MEDIA CAMPAIGN. The board shall conduct a city-wide
8 communications media campaign designed to deter the unlawful possession and use
9 of firearms by educating the public about the legal consequences of unlawful
10 possession and use of firearms. The department of administration shall provide
11 funding to the board for the media campaign under this subsection from the
12 appropriation under s. 20.475 (1) (f). The amounts paid by the department of
13 administration under this subsection may not exceed \$90,000 in the 1999–2000
14 fiscal year and \$60,000 in the 2000–01 fiscal year.

15 **SECTION 1606.** 66.0295 of the statutes is created to read:

16 **66.0295 Comprehensive planning. (1) DEFINITIONS.** In this section:

17 (a) “Comprehensive plan” means:

18 1. For a county, a development plan that is prepared or amended under s. 59.69
19 (2) or (3).

20 2. For a city or a village, or for a town that exercises village powers under s.
21 60.22 (3), a master plan that is adopted or amended under s. 62.23 (2) or (3).

22 3. For a regional planning commission, a master plan that is adopted or
23 amended under s. 66.945 (8), (9) or (10).

24 (b) “Local governmental unit” means a city, village, town, county or regional
25 planning commission that may adopt, prepare or amend a comprehensive plan.

1 **(2)** CONTENTS OF A COMPREHENSIVE PLAN. A comprehensive plan shall contain
2 all of the following elements:

3 (a) *Issues and opportunities element.* Background information on the local
4 governmental unit and a statement of overall objectives, policies, goals and programs
5 of the local governmental unit to guide the future development and redevelopment
6 of the local governmental unit over a 20-year planning period. Background
7 information shall include population, household and employment forecasts that the
8 local governmental unit uses in developing its comprehensive plan, and
9 demographic trends, age distribution, educational levels, income levels and
10 employment characteristics that exist within the local governmental unit.

11 (b) *Housing element.* A compilation of objectives, policies, goals, maps and
12 programs of the local governmental unit to provide an adequate housing supply that
13 meets existing and forecasted housing demand in the local governmental unit. The
14 element shall assess the age, structural, value and occupancy characteristics of the
15 local governmental unit's housing stock. The element shall also identify specific
16 policies and programs that promote the development of housing for residents of the
17 local governmental unit and provide a range of housing choices that meet the needs
18 of persons of all income levels and of all age groups and persons with special needs,
19 policies and programs that promote the availability of land for the development or
20 redevelopment of low-income and moderate-income housing, and policies and
21 programs to maintain or rehabilitate the local governmental unit's existing housing
22 stock.

23 (c) *Transportation element.* A compilation of objectives, policies, goals, maps
24 and programs to guide the future development of the various modes of
25 transportation, including highways, transit, transportation systems for persons

1 with disabilities, bicycles, walking, railroads, air transportation, trucking and water
2 transportation. The element shall compare the local governmental unit's objectives,
3 policies, goals and programs to state and regional transportation plans. The element
4 shall also identify highways within the local governmental unit by function and
5 incorporate state, regional and other applicable transportation plans, including
6 transportation corridor plans, county highway functional and jurisdictional studies,
7 urban area and rural area transportation plans, airport master plans and rail plans
8 that apply in the local governmental unit.

9 (d) *Utilities and community facilities element.* A compilation of objectives,
10 policies, goals, maps and programs to guide the future development of utilities and
11 community facilities in the local governmental unit such as sanitary sewer service,
12 storm water management, water supply, solid waste disposal, on-site wastewater
13 treatment technologies, recycling facilities, parks, telecommunications facilities,
14 power-generating plants and transmission lines, cemeteries, health care facilities,
15 child care facilities and other public facilities, such as police, fire and rescue facilities,
16 libraries, schools and other governmental facilities. The element shall describe the
17 location, use and capacity of existing public utilities and community facilities that
18 serve the local governmental unit, shall include an approximate timetable that
19 forecasts the need in the local governmental unit to expand or rehabilitate existing
20 utilities and facilities or to create new utilities and facilities and shall assess future
21 needs for government services in the local governmental unit that are related to such
22 utilities and facilities.

23 (e) *Agricultural, natural and cultural resources element.* A compilation of
24 objectives, policies, goals, maps and programs for the conservation, and promotion
25 of the effective management, of natural resources such as groundwater, forests,

1 productive agricultural areas, environmentally sensitive areas, threatened and
2 endangered species, stream corridors, surface water, floodplains, wetlands, wildlife
3 habitat, metallic and nonmetallic mineral resources, parks, open spaces, historical
4 and cultural resources, community design, recreational resources and other natural
5 resources.

6 (f) *Economic development element.* A compilation of objectives, policies, goals,
7 maps and programs to promote the stabilization, retention or expansion, of the
8 economic base and quality employment opportunities in the local governmental unit,
9 including an analysis of the labor force and economic base of the local governmental
10 unit. The element shall assess categories or particular types of new businesses and
11 industries that are desired by the local governmental unit. The element shall assess
12 the local governmental unit's strengths and weaknesses with respect to attracting
13 and retaining businesses and industries, and shall designate an adequate number
14 of sites for such businesses and industries. The element shall also evaluate and
15 promote the use of environmentally contaminated sites for commercial or industrial
16 uses. The element shall also identify county, regional and state economic
17 development programs that apply to the local governmental unit.

18 (g) *Intergovernmental cooperation element.* A compilation of objectives,
19 policies, goals, maps and programs for joint planning and decision making with other
20 jurisdictions, including school districts and adjacent local governmental units, for
21 siting and building public facilities and sharing public services. The element shall
22 analyze the relationship of the local governmental unit to school districts and
23 adjacent local governmental units, and to the region, the state and other
24 governmental units. The element shall incorporate any plans or agreements to
25 which the local governmental unit is a party under s. 66.023, 66.30 or 66.945. The

1 element shall identify existing or potential conflicts between the local governmental
2 unit and other governmental units that are specified in this paragraph and describe
3 processes to resolve such conflicts.

4 (h) *Land-use element.* A compilation of objectives, policies, goals, maps and
5 programs to guide the future development and redevelopment of public and private
6 property. The element shall contain a listing of the amount, type, intensity and net
7 density of existing uses of land in the local governmental unit, such as agricultural,
8 residential, commercial, industrial and other public and private uses. The element
9 shall analyze trends in the supply, demand and price of land, opportunities for
10 redevelopment and existing and potential land-use conflicts. The element shall
11 contain projections, based on the background information specified in par. (a), for 20
12 years with detailed maps, in 5-year increments, of future residential, agricultural,
13 commercial and industrial land uses including the assumptions of net densities or
14 other spatial assumptions upon which the projections are based. The element shall
15 also include a series of maps that shows current land uses and future land uses that
16 indicate productive agricultural soils, natural limitations for building site
17 development, floodplains, wetlands and other environmentally sensitive lands, the
18 boundaries of areas to which services of public utilities and community facilities, as
19 those terms are used in par. (d), will be provided in the future, consistent with the
20 timetable described in par. (d), and the general location of future land uses by net
21 density or other classifications.

22 (i) *Implementation element.* A compilation of programs and specific actions to
23 be completed in a stated sequence, including proposed changes to any applicable
24 zoning ordinances, official maps, sign regulations, erosion and storm water control
25 ordinances, historic preservation ordinances, site plan regulations, design review

1 ordinances, building codes, mechanical codes, housing codes, sanitary codes or
2 subdivision ordinances, to implement the objectives, policies, plans and programs
3 contained in pars. (a) to (h). The element shall describe how each of the elements of
4 the comprehensive plan will be integrated and made consistent with the other
5 elements of the comprehensive plan, and shall include a mechanism to measure the
6 local governmental unit's progress toward achieving all aspects of the
7 comprehensive plan. The element shall include a process for updating the
8 comprehensive plan. A comprehensive plan under this subsection shall be updated
9 no less than once every 10 years.

10 **(3) ACTIONS, PROCEDURES THAT MUST BE CONSISTENT WITH COMPREHENSIVE PLANS.**

11 Beginning on January 1, 2010, any program or action of a local governmental unit
12 that affects land use shall be consistent with that local governmental unit's
13 comprehensive plan, including all of the following:

14 (a) Municipal incorporation procedures under s. 66.012, 66.013 or 66.014.

15 (b) Annexation procedures under s. 66.021, 66.024 or 66.025.

16 (c) Cooperative boundary agreements entered into under s. 66.023.

17 (d) Consolidation of territory under s. 66.02.

18 (e) Detachment of territory under s. 66.022.

19 (f) Municipal boundary agreements fixed by judgment under s. 66.027.

20 (g) Official mapping established or amended under s. 62.23 (6).

21 (h) Local subdivision regulation under s. 236.45 or 236.46.

22 (i) Extraterritorial plat review within a city's or village's extraterritorial plat
23 approval jurisdiction, as is defined in s. 236.02 (5).

24 (j) County zoning ordinances enacted or amended under s. 59.69.

25 (k) City or village zoning ordinances enacted or amended under s. 62.23 (7).

1 (L) Town zoning ordinances enacted or amended under s. 60.61 or 60.62.

2 (m) An improvement of a transportation facility that is undertaken under s.
3 84.185.

4 (n) Agricultural preservation plans that are prepared or revised under subch.
5 IV of ch. 91.

6 (o) Impact fee ordinances that are enacted or amended under s. 66.55.

7 (p) Land acquisition for recreational lands and parks under s. 23.09 (20).

8 (q) Zoning of shorelands or wetlands in shorelands under s. 59.692, 61.351 or
9 62.231.

10 (r) Construction site erosion control and storm water management zoning
11 under s. 59.693, 61.354 or 62.234.

12 (s) Any other ordinance, plan or regulation of a local governmental unit that
13 relates to land use.

14 **(4) PROCEDURES FOR ADOPTING COMPREHENSIVE PLANS.** A local governmental unit
15 shall comply with all of the following before its comprehensive plan may take effect:

16 (a) The governing body of a local governmental unit shall adopt written
17 procedures that are designed to foster public participation, including open
18 discussion, communication programs, information services and public meetings for
19 which advance notice has been provided, in every stage of the preparation of a
20 comprehensive plan. The written procedures shall provide for wide distribution of
21 proposed, alternative or amended elements of a comprehensive plan and shall
22 provide an opportunity for written comments on the plan to be submitted by
23 members of the public to the governing body and for the governing body to respond
24 to such written comments.

1 (b) The planning commission or other body of a local governmental unit that
2 is authorized to prepare or amend a comprehensive plan may recommend the
3 adoption or amendment of a comprehensive plan only by adopting a resolution by
4 majority vote. The vote shall be recorded in the official minutes of the planning
5 commission or other body. The resolution shall refer to maps and other descriptive
6 materials that relate to one or more elements of a comprehensive plan. One copy of
7 an adopted comprehensive plan, or of an amendment to such a plan, shall be sent to
8 all of the following:

9 1. Every governmental body that is located in whole or in part within the
10 boundaries of the local governmental unit.

11 2. Every local governmental unit that is adjacent to the local governmental unit
12 which is the subject of the plan that is adopted or amended as described in par. (b)
13 (intro.).

14 3. The Wisconsin land council.

15 4. After September 1, 2003, the department of administration.

16 (c) No recommended comprehensive plan that is adopted or amended under
17 par. (b) may take effect until the plan or amendment is enacted as an ordinance by
18 the local governmental unit. The local governmental unit may not enact an
19 ordinance under this paragraph unless the comprehensive plan contains all of the
20 elements specified in sub. (2). An ordinance may be enacted under this paragraph
21 only by a majority vote of the members–elect, as defined in s. 59.001 (2m), of the
22 governing body. An ordinance that is enacted under this paragraph shall be filed
23 with at least all of the following:

24 1. The public library that serves the area in which the local governmental unit
25 is located.

1 2. The clerk of all adjacent local governmental units.

2 (d) No local governmental unit may enact an ordinance under par. (c) unless
3 the local governmental unit holds at least one public hearing at which the proposed
4 ordinance is discussed. That hearing must be preceded by a class 1 notice under ch.
5 985 that is published at least 30 days before the hearing is held. The local
6 governmental unit may also provide notice of the hearing by any other means it
7 considers appropriate. The class 1 notice shall contain at least the following
8 information:

9 1. The date, time and place of the hearing.

10 2. A summary, which may include a map, of the proposed comprehensive plan
11 or amendment to such a plan.

12 3. The name of an individual employed by the local governmental unit who may
13 provide additional information regarding the proposed ordinance.

14 4. Information relating to where and when the proposed comprehensive plan
15 or amendment to such a plan may be inspected before the hearing, and how a copy
16 of the plan or amendment may be obtained.

17 **SECTION 1606m.** 66.034 of the statutes is created to read:

18 **66.034 Traditional neighborhood developments and conservation**
19 **subdivisions. (1) DEFINITIONS.** In this section:

20 (a) “Conservation subdivision” means a housing development in a rural setting
21 that is characterized by compact lots and common open space, and where the natural
22 features of land are maintained to the greatest extent possible.

23 (b) “Extension” has the meaning given in s. 36.05 (7).

1 (c) “Traditional neighborhood development” means a compact, mixed-use
2 neighborhood where residential, commercial and civic buildings are within close
3 proximity to each other.

4 **(2) MODEL ORDINANCES.** (a) Not later than January 1, 2001, the extension, in
5 consultation with any other University of Wisconsin System institution or with a
6 landscape architect, as that term is used in s. 443.02 (5), or with independent
7 planners or any other consultant with expertise in traditional neighborhood
8 planning and development, shall develop a model ordinance for a traditional
9 neighborhood development and an ordinance for a conservation subdivision.

10 (b) The model ordinances developed under par. (a) shall be presented to the
11 chief clerk of each house of the legislature, and shall be referred immediately by the
12 speaker of the assembly and the presiding officer of the senate to the appropriate
13 standing committee in each house. The model ordinances shall be considered to have
14 been approved by a standing committee if within 14 working days of the referral, the
15 committee does not schedule a meeting for the purpose of reviewing the model
16 ordinance. If the committee schedules a meeting for the purpose of reviewing the
17 model ordinance, the ordinance may not be considered to have been approved unless
18 the committee approves the model ordinance.

19 **(3) CITY, VILLAGE AND TOWN REQUIREMENTS.** (a) Not later than January 1, 2002,
20 every city and village, and every town with a population of at least 12,500 shall enact
21 an ordinance under s. 62.23 (7) that is substantially similar to the model ordinance
22 that is developed under sub. (2) (a) if the ordinance is approved under sub. (2) (b),
23 although the ordinance is not required to be mapped.

24 (b) A city or village that comes into existence, or town whose population reaches
25 at least 12,500, after January 1, 2002, shall enact an ordinance under s. 62.23 (7)

1 that is substantially similar to the model ordinance that is developed under sub. (2)
2 (a) if the ordinance is approved under sub. (2) (b) not later than the first day of the
3 12th month beginning after the city or village comes into existence or after the town's
4 population reaches at least 12,500, although the ordinance is not required to be
5 mapped.

6 **SECTION 1607.** 66.04 (1m) (a) of the statutes is amended to read:

7 66.04 (1m) (a) No city, village ~~or~~ town, family care district under s. 46.2895 or
8 agency or subdivision of a city, village or town may authorize funds for or pay to a
9 physician or surgeon or a hospital, clinic or other medical facility for the performance
10 of an abortion except those permitted under and which are performed in accordance
11 with s. 20.927.

12 **SECTION 1608.** 66.04 (1m) (b) of the statutes is amended to read:

13 66.04 (1m) (b) No city, village ~~or~~ town, family care district under s. 46.2895 or
14 agency or subdivision of a city, village or town may authorize payment of funds for
15 a grant, subsidy or other funding involving a pregnancy program, project or service
16 if s. 20.9275 (2) applies to the pregnancy program, project or service.

17 **SECTION 1608p.** 66.085 (2) of the statutes is amended to read:

18 66.085 (2) INTERFERENCE PROHIBITED. The owner or manager of a multiunit
19 dwelling under common ownership, control or management or of a mobile home park
20 or the association or board of directors of a condominium may not prevent a cable
21 operator from providing cable service to a subscriber who is a resident of the
22 multiunit dwelling, mobile home park or of the condominium or interfere with a cable
23 operator providing cable service to a subscriber who is a resident of the multiunit
24 dwelling, mobile home park or of the condominium.

25 **SECTION 1609.** 66.119 (1) (b) 7. c. of the statutes is amended to read:

1 66.119 (1) (b) 7. c. That if the alleged violator makes a cash deposit and does
2 not appear in court, he or she either will be deemed to have tendered a plea of no
3 contest and submitted to a forfeiture, a penalty assessment imposed by s. ~~165.87~~
4 757.05, a jail assessment imposed by s. 302.46 (1), a crime laboratories and drug law
5 enforcement assessment imposed by s. 165.755, any applicable consumer
6 information assessment imposed by s. 100.261 and any applicable domestic abuse
7 assessment imposed by s. 973.055 (1) not to exceed the amount of the deposit or will
8 be summoned into court to answer the complaint if the court does not accept the plea
9 of no contest.

10 **SECTION 1610.** 66.119 (1) (b) 7. d. of the statutes is amended to read:

11 66.119 (1) (b) 7. d. That if the alleged violator does not make a cash deposit and
12 does not appear in court at the time specified, the court may issue a summons or a
13 warrant for the defendant's arrest or consider the nonappearance to be a plea of no
14 contest and enter judgment under sub. (3) (d), or the municipality may commence an
15 action against the alleged violator to collect the forfeiture, the penalty assessment
16 imposed by s. ~~165.87~~ 757.05, the jail assessment imposed by s. 302.46 (1), the crime
17 laboratories and drug law enforcement assessment imposed by s. 165.755, any
18 applicable consumer information assessment imposed by s. 100.261 and any
19 applicable domestic abuse assessment imposed by s. 973.055 (1).

20 **SECTION 1611.** 66.119 (1) (c) of the statutes is amended to read:

21 66.119 (1) (c) An ordinance adopted under par. (a) shall contain a schedule of
22 cash deposits that are to be required for the various ordinance violations, and for the
23 penalty assessment imposed by s. ~~165.87~~ 757.05, the jail assessment imposed by s.
24 302.46 (1), the crime laboratories and drug law enforcement assessment imposed by
25 s. 165.755, any applicable consumer information assessment imposed by s. 100.261

1 and any applicable domestic abuse assessment imposed by s. 973.055 (1), for which
2 a citation may be issued. The ordinance shall also specify the court, clerk of court
3 or other official to whom cash deposits are to be made and shall require that receipts
4 be given for cash deposits.

5 **SECTION 1612.** 66.119 (3) (a) of the statutes is amended to read:

6 66.119 (3) (a) The person named as the alleged violator in a citation may appear
7 in court at the time specified in the citation or may mail or deliver personally a cash
8 deposit in the amount, within the time and to the court, clerk of court or other official
9 specified in the citation. If a person makes a cash deposit, the person may
10 nevertheless appear in court at the time specified in the citation, provided that the
11 cash deposit may be retained for application against any forfeiture, restitution,
12 penalty assessment, jail assessment, crime laboratories and drug law enforcement
13 assessment ~~or~~ consumer information assessment or domestic abuse assessment that
14 may be imposed.

15 **SECTION 1613.** 66.119 (3) (b) of the statutes is amended to read:

16 66.119 (3) (b) If a person appears in court in response to a citation, the citation
17 may be used as the initial pleading, unless the court directs that a formal complaint
18 be made, and the appearance confers personal jurisdiction over the person. The
19 person may plead guilty, no contest or not guilty. If the person pleads guilty or no
20 contest, the court shall accept the plea, enter a judgment of guilty and impose a
21 forfeiture, the penalty assessment imposed by s. ~~465.87~~ 757.05, the jail assessment
22 imposed by s. 302.46 (1), the crime laboratories and drug law enforcement
23 assessment imposed by s. 165.755, any applicable consumer information assessment
24 imposed by s. 100.261 and any applicable domestic abuse assessment imposed by s.
25 973.055 (1). If the court finds that the violation meets the conditions in s. 800.093

1 (1), the court may order restitution under s. 800.093. A plea of not guilty shall put
2 all matters in the case at issue, and the matter shall be set for trial.

3 **SECTION 1614.** 66.119 (3) (c) of the statutes is amended to read:

4 66.119 (3) (c) If the alleged violator makes a cash deposit and fails to appear
5 in court, the citation may serve as the initial pleading and the violator shall be
6 considered to have tendered a plea of no contest and submitted to a forfeiture, the
7 penalty assessment imposed by s. ~~165.87~~ 757.05, the jail assessment imposed by s.
8 302.46 (1), the crime laboratories and drug law enforcement assessment imposed by
9 s. 165.755, any applicable consumer information assessment imposed by s. 100.261
10 and any applicable domestic abuse assessment imposed by s. 973.055 (1) not
11 exceeding the amount of the deposit. The court may either accept the plea of no
12 contest and enter judgment accordingly or reject the plea. If the court finds the
13 violation meets the conditions in s. 800.093 (1), the court may summon the alleged
14 violator into court to determine if restitution shall be ordered under s. 800.093. If
15 the court accepts the plea of no contest, the defendant may move within 10 days after
16 the date set for the appearance to withdraw the plea of no contest, open the judgment
17 and enter a plea of not guilty if the defendant shows to the satisfaction of the court
18 that the failure to appear was due to mistake, inadvertence, surprise or excusable
19 neglect. If the plea of no contest is accepted and not subsequently changed to a plea
20 of not guilty, no costs or fees may be taxed against the violator, but a penalty
21 assessment, a jail assessment, a crime laboratories and drug law enforcement
22 assessment and, if applicable, a consumer information assessment or a domestic
23 abuse assessment shall be assessed. If the court rejects the plea of no contest, an
24 action for collection of the forfeiture, penalty assessment, jail assessment, crime
25 laboratories and drug law enforcement assessment, any applicable consumer

1 information assessment and any applicable domestic abuse assessment may be
2 commenced. A city, village, town sanitary district or public inland lake protection
3 and rehabilitation district may commence action under s. 66.12 (1) and a county or
4 town may commence action under s. 778.10. The citation may be used as the
5 complaint in the action for the collection of the forfeiture, penalty assessment, jail
6 assessment, crime laboratories and drug law enforcement assessment, any
7 applicable consumer information assessment and any applicable domestic abuse
8 assessment.

9 **SECTION 1615.** 66.119 (3) (d) of the statutes is amended to read:

10 66.119 (3) (d) If the alleged violator does not make a cash deposit and fails to
11 appear in court at the time specified in the citation, the court may issue a summons
12 or warrant for the defendant's arrest or consider the nonappearance to be a plea of
13 no contest and enter judgment accordingly if service was completed as provided
14 under par. (e) or the county, town, city, village, town sanitary district or public inland
15 lake protection and rehabilitation district may commence an action for collection of
16 the forfeiture, penalty assessment, jail assessment and crime laboratories and drug
17 law enforcement assessment, any applicable consumer information assessment and
18 any applicable domestic abuse assessment. A city, village, town sanitary district or
19 public inland lake protection and rehabilitation district may commence action under
20 s. 66.12 (1) and a county or town may commence action under s. 778.10. The citation
21 may be used as the complaint in the action for the collection of the forfeiture, penalty
22 assessment, jail assessment and crime laboratories and drug law enforcement
23 assessment, any applicable consumer information assessment and any applicable
24 domestic abuse assessment. If the court considers the nonappearance to be a plea
25 of no contest and enters judgment accordingly, the court shall promptly mail a copy

1 or notice of the judgment to the defendant. The judgment shall allow the defendant
2 not less than 20 days from the date of the judgment to pay any forfeiture, penalty
3 assessment, jail assessment and crime laboratories and drug law enforcement
4 assessment, any applicable consumer information assessment and any applicable
5 domestic abuse assessment imposed. If the defendant moves to open the judgment
6 within 6 months after the court appearance date fixed in the citation, and shows to
7 the satisfaction of the court that the failure to appear was due to mistake,
8 inadvertence, surprise or excusable neglect, the court shall reopen the judgment,
9 accept a not guilty plea and set a trial date.

10 **SECTION 1616.** 66.12 (1) (b) of the statutes is amended to read:

11 66.12 (1) (b) Local ordinances, except as provided in this paragraph or ss.
12 345.20 to 345.53, may contain a provision for stipulation of guilt or no contest of any
13 or all violations under those ordinances, and may designate the manner in which the
14 stipulation is to be made and fix the penalty to be paid. When a person charged with
15 a violation for which stipulation of guilt or no contest is authorized makes a timely
16 stipulation and pays the required penalty and pays the penalty assessment imposed
17 by s. ~~165.87~~ 757.05, the jail assessment imposed by s. 302.46 (1), the crime
18 laboratories and drug law enforcement assessment imposed by s. 165.755, any
19 applicable consumer information assessment imposed by s. 100.261 and any
20 applicable domestic abuse assessment imposed by s. 973.055 (1) to the designated
21 official, the person need not appear in court and no witness fees or other additional
22 costs may be taxed unless the local ordinance so provides. A court appearance is
23 required for a violation of a local ordinance in conformity with s. 346.63 (1). The
24 official receiving the penalties shall remit all moneys collected to the treasurer of the
25 city, village, town sanitary district or public inland lake protection and rehabilitation

1 district in whose behalf the sum was paid, except that all jail assessments shall be
2 remitted to the county treasurer, within 20 days after its receipt by him or her; and
3 in case of any failure in the payment, the treasurer may collect the payment of the
4 officer by action, in the name of the office, and upon the official bond of the officer,
5 with interest at the rate of 12% per year from the time when it should have been paid.
6 In the case of the penalty assessment imposed by s. ~~165.87~~ 757.05, the crime
7 laboratories and drug law enforcement assessment imposed by s. 165.755, the driver
8 improvement surcharge imposed by s. 346.655 (1), any applicable consumer
9 information assessment imposed by s. 100.261 and any applicable domestic abuse
10 assessment imposed by s. 973.055 (1), the treasurer of the city, village, town sanitary
11 district or public inland lake protection and rehabilitation district shall remit to the
12 state treasurer the sum required by law to be paid on the actions so entered during
13 the preceding month on or before the first day of the next succeeding month. The
14 governing body of the city, village, town sanitary district or public inland lake
15 protection and rehabilitation district shall by ordinance designate the official to
16 receive the penalties and the terms under which the official shall qualify.

17 **SECTION 1617.** 66.12 (3) (b) of the statutes is amended to read:

18 66.12 (3) (b) All forfeitures and penalties recovered for the violation of any
19 ordinance or bylaw of any city, village, town, town sanitary district or public inland
20 lake protection and rehabilitation district shall be paid into the city, village, town,
21 town sanitary district or public inland lake protection and rehabilitation district
22 treasury for the use of the city, village, town, town sanitary district or public inland
23 lake protection and rehabilitation district, except as otherwise provided in par. (c),
24 sub. (1) (b) and s. ~~165.87~~ 757.05. The judge shall report and pay into the treasury,
25 quarterly, or at more frequent intervals if so required, all moneys collected belonging

1 to the city, village, town, town sanitary district or public inland lake protection and
2 rehabilitation district, which report shall be certified and filed in the office of the
3 treasurer; and the judge shall be entitled to duplicate receipts for such moneys, one
4 of which he or she shall file with the city, village or town clerk or with the town
5 sanitary district or the public inland lake protection and rehabilitation district.

6 **SECTION 1617r.** 66.184 of the statutes is amended to read:

7 **66.184 Self-insured health plans.** If a city, including a 1st class city, or a
8 village provides health care benefits under its home rule power, or if a town provides
9 health care benefits, to its officers and employes on a self-insured basis, the
10 self-insured plan shall comply with ss. 49.493 (3) (d), 631.89, 631.90, 631.93 (2),
11 632.746 (10) (a) 2. and (b) 2., 632.747 (3), 632.85, 632.853, 632.855, 632.87 (4) and (5),
12 632.895 (9) to (13), 632.896, and 767.25 (4m) (d), ~~767.51 (3m) (d) and 767.62 (4) (b)~~
13 4.

14 **SECTION 1618m.** 66.293 (10) (a) of the statutes is amended to read:

15 66.293 **(10)** (a) Each contractor, subcontractor or agent thereof performing
16 work on a project that is subject to this section shall keep full and accurate records
17 clearly indicating the name and trade or occupation of every person described in sub.
18 (4) and an accurate record of the number of hours worked by each of those persons
19 and the actual wages paid therefor. If requested by any person, a contractor,
20 subcontractor or agent thereof performing work on a project that is subject to this
21 section shall permit that person to inspect and copy any of those records to the same
22 extent as the department would be required to permit inspection and copying of those
23 records under ss. 19.31 to 19.39 if those records were in the custody of the
24 department.

25 **SECTION 1619.** 66.299 (3) (a) 1. of the statutes is amended to read:

1 66.299 (3) (a) 1. A local governmental unit shall, to the extent practicable, make
2 purchasing selections using specifications developed by state agencies under s. 16.72
3 (2) (e), except s. 16.72 (2) (e) 2., to maximize the purchase of products utilizing
4 recycled or recovered materials.

5 **SECTION 1620.** 66.299 (4) of the statutes is amended to read:

6 66.299 (4) PURCHASE OF RECYCLABLE MATERIALS. A local governmental unit shall,
7 to the extent practicable, make purchasing selections using specifications prepared
8 by state agencies under s. 16.72 (2) (f).

9 **SECTION 1621.** 66.30 (1) (a) of the statutes is amended to read:

10 66.30 (1) (a) In this section “municipality” means the state or any department
11 or agency thereof, or any city, village, town, county, school district, public library
12 system, public inland lake protection and rehabilitation district, sanitary district,
13 farm drainage district, metropolitan sewerage district, sewer utility district, solid
14 waste management system created under s. 59.70 (2), local exposition district
15 created under subch. II of ch. 229, local professional baseball park district created
16 under subch. III of ch. 229, family care district under s. 46.2895, water utility district,
17 mosquito control district, municipal electric company, county or city transit
18 commission, commission created by contract under this section, taxation district or
19 regional planning commission.

20 **SECTION 1621e.** 66.307 (2) (a) of the statutes is amended to read:

21 66.307 (2) (a) The governing body of a political subdivision, by a two-thirds vote
22 of the members of the governing body who are present when the vote is taken, may
23 enact an ordinance or adopt a resolution declaring itself to be a premier resort area
24 if, except as provided in par. (e), at least 40% of the equalized assessed value of the

1 taxable property within such political subdivision is used by tourism–related
2 retailers.

3 **SECTION 1621f.** 66.307 (2) (e) of the statutes is created to read:

4 66.307 (2) (e) 1. The legislature finds the following with respect to the city of
5 Eagle River:

6 a. It is extremely close to the 40% threshold described in par. (a).

7 b. It has an atypical percentage of tax–exempt land within its boundaries that
8 is used for tourism–related purposes.

9 c. It is the site of national recreational competitions that draw tourism business
10 to the entire northern region of this state.

11 2. The city of Eagle River may enact an ordinance or adopt a resolution
12 declaring itself to be a premier resort area under par. (a) even if less than 40% of the
13 equalized assessed value of the taxable property within Eagle River is used by
14 tourism–related retailers.

15 **SECTION 1630d.** 66.431 (5r) of the statutes is created to read:

16 66.431 (5r) FINANCING OF CERTAIN SCHOOL FACILITIES. (a) *Legislative*
17 *declaration.* The legislature determines that the development of new public schools
18 will help alleviate the substandard conditions described in sub. (2) and will promote
19 the sound growth and economic development of cities and enhance the education of
20 youth in neighborhood settings. The legislature determines that the social and
21 economic problems sought to be addressed are particularly acute in more densely
22 populated areas. The legislature desires to make certain financing and economic
23 tools available in 1st class cities with the view that there are likely to be positive
24 statewide benefits in light of the impact that 1st class cities have on the economy and
25 welfare of the entire state.

1 (b) *Bond issuance for public school facilities.* The authority of a 1st class city
2 may issue up to \$170,000,000 in bonds to finance or refinance the development or
3 redevelopment of sites and facilities to be used for public school facilities by the board
4 of school directors of the school district operating under ch. 119 if all of the following
5 apply:

6 1. The board of school directors of the school district operating under ch. 119
7 requests the issuance of the bonds to implement the report approved under 1999
8 Wisconsin Act (this act), section 9158 (7tw) (b).

9 2. The authority determines that the purposes of the financing are consistent
10 with the 1st class city's master plan.

11 (c) *Terms and conditions.* The terms and conditions of bonds issued under this
12 subsection shall be those specified in sub. (5) (a) 4. except that it shall not be
13 necessary that the financed property be located in a project area or a blighted area.
14 The bonds may not have a maturity in excess of 20 years and may not be issued later
15 than the first day of the 60th month beginning after the effective date of this
16 paragraph [revisor inserts date].

17 (d) *Designation of special debt service reserve funds.* The authority may
18 designate one or more accounts in funds created under the resolution authorizing the
19 issuance of bonds under this subsection as special debt service reserve funds if, prior
20 to each issuance of bonds to be secured by the special debt service reserve fund, the
21 secretary of administration determines that all of the following conditions are met
22 with respect to the bonds:

23 1. 'Purpose.' The proceeds of the bonds, other than refunding bonds, will be
24 used for public school facilities in the school district operating under ch. 119.

1 2. ‘Feasibility.’ There is a reasonable likelihood that the bonds will be repaid
2 without the necessity of drawing on funds in the special debt service reserve fund
3 that secures the bonds. The secretary of administration may make this
4 determination of reasonable likelihood only after considering all of the following:

5 a. The extent to which and manner by which revenues of the school district
6 operating under ch. 119 are pledged to the payment of the bonds.

7 c. The proposed interest rates of the bonds and the resulting cash–flow
8 requirements.

9 d. The projected ratio of annual pledged revenues from the school district
10 operating under ch.119 to annual debt service on the bonds, taking into account
11 capitalized interest.

12 e. Whether an understanding exists providing for repayment by the authority
13 to the state of all amounts appropriated to the special debt service reserve fund
14 pursuant to par. (j).

15 f. Whether the authority has agreed that the department of administration will
16 have direct and immediate access, at any time and without notice, to all records of
17 the authority relating to the bonds.

18 3. ‘Limit on bonds issued.’ The principal amount of all bonds, other than
19 refunding bonds, that would be secured by all special debt service reserve funds of
20 the authority will not exceed \$170,000,000.

21 4. ‘Refunding bonds.’ All refunding bonds to be secured by the special debt
22 service reserve fund meet all of the following conditions:

23 a. The refunding bonds are to be issued to fund, refund or advance refund bonds
24 secured by a special debt service reserve fund.

1 b. The refunding will not adversely affect the risk that the state will be called
2 on to make a payment under par. (j).

3 5. ‘Approval of outstanding debt.’ All outstanding bonds of the authority issued
4 under this subsection have been reviewed and approved by the secretary of
5 administration. In determining whether to approve outstanding bonds under this
6 subdivision, the secretary may consider any factor which the secretary determines
7 to have a bearing on whether the state moral obligation pledge under par. (j) should
8 be granted with respect to an issuance of bonds.

9 6. ‘Financial reports.’ The authority has agreed to provide to the department
10 of administration all financial reports of the authority and all regular monthly
11 statements of any trustee of the bonds on a direct and ongoing basis.

12 (e) *Payment of funds into a special debt service reserve fund.* The authority shall
13 pay into any special debt service reserve fund of the authority any moneys
14 appropriated and made available by the state for the purposes of the special debt
15 service reserve fund, any proceeds of a sale of bonds to the extent provided in the bond
16 resolution authorizing the issuance of the bonds and any other moneys that are made
17 available to the authority for the purpose of the special debt service reserve fund from
18 any other source.

19 (f) *Use of moneys in the special debt service reserve fund.* All moneys held in any
20 special debt service reserve fund of the authority for bonds issued under this
21 subsection, except as otherwise specifically provided, shall be used solely for the
22 payment of the principal of the bonds, the making of sinking fund payments with
23 respect to the bonds, the purchase or redemption of the bonds, the payment of
24 interest on the bonds or the payment of any redemption premium required to be paid
25 when the bonds are redeemed prior to maturity. If moneys in a special debt service

1 reserve fund at any time are less than the special debt service reserve fund
2 requirement under par. (h) for the special debt service reserve fund, the authority
3 may not use these moneys for any optional purchase or optional redemption of the
4 bonds. Any income or interest earned by, or increment to, any special debt service
5 reserve fund due to the investment of moneys in the special debt service reserve fund
6 may be transferred by the authority to other funds or accounts of the authority
7 relating to the bonds to the extent that the transfer does not reduce the amount of
8 the special debt service reserve fund below the special debt service reserve fund
9 requirement under par. (h) for the special debt service reserve fund.

10 (g) *Limitation on bonds secured by a special debt service reserve fund.* The
11 authority shall accumulate in each special debt service reserve fund an amount equal
12 to the special debt service reserve fund requirement under par. (h) for the special debt
13 service reserve fund. The authority may not at any time issue bonds under this
14 subsection secured in whole or in part by a special debt service reserve fund if upon
15 the issuance of these bonds the amount in the special debt service reserve fund will
16 be less than the special debt service reserve fund requirement under par. (h) for the
17 special debt service reserve fund.

18 (h) *Special debt service reserve fund requirement.* The special debt service
19 reserve fund requirement for a special debt service reserve fund, as of any particular
20 date of computation, is equal to an amount of money, as provided in the bond
21 resolution authorizing bonds under this subsection with respect to which the special
22 debt service reserve fund is established, that may not exceed the maximum annual
23 debt service on the bonds of the authority for that fiscal year or any future fiscal year
24 of the authority secured in whole or in part by that special debt service reserve fund.
25 In computing the annual debt service for any fiscal year, bonds deemed to have been

1 paid in accordance with the defeasance provisions of the bond resolution authorizing
2 the issuance of the bonds shall not be included in bonds outstanding on such date of
3 computation. The annual debt service for any fiscal year is the amount of money
4 equal to the aggregate of all of the following calculated on the assumption that the
5 bonds will, after the date of computation, cease to be outstanding by reason, but only
6 by reason, of the payment of bonds when due, and the payment when due, and
7 application in accordance with the bond resolution authorizing those bonds, of all of
8 the sinking fund payments payable at or after the date of computation:

9 1. All interest payable during the fiscal year on all bonds that are secured in
10 whole or in part by the special debt service reserve fund and that are outstanding on
11 the date of computation.

12 2. The principal amount of all of the bonds that are secured in whole or in part
13 by the special debt service reserve fund, are outstanding on the date of computation
14 and mature during the fiscal year.

15 3. All amounts specified in bond resolutions of the authority authorizing any
16 of the bonds that are secured in whole or in part by the special debt service reserve
17 fund to be payable during the fiscal year as a sinking fund payment with respect to
18 any of the bonds that mature after the fiscal year.

19 (i) *Valuation of securities.* In computing the amount of a special debt service
20 reserve fund for the purposes of this subsection, securities in which all or a portion
21 of the special debt service reserve fund is invested shall be valued at par, or, if
22 purchased at less than par, at their cost to the authority.

23 (j) *State moral obligation pledge.* If at any time of valuation the special debt
24 service reserve fund requirement under par. (h) for a special debt service reserve
25 fund exceeds the amount of moneys in the special debt service reserve fund, the

1 authority shall certify to the secretary of administration, the governor and the joint
2 committee on finance the amount necessary to restore the special debt service
3 reserve fund to an amount equal to the special debt service reserve fund requirement
4 under par. (h) for the special debt service reserve fund. If this certification is received
5 by the secretary of administration in an even-numbered year prior to the completion
6 of the budget compilation under s. 16.43, the secretary shall include the certified
7 amount in the budget compilation. In any case, the joint committee on finance shall
8 introduce in either house, in bill form, an appropriation of the amount so certified to
9 the appropriate special debt service reserve fund of the authority. Recognizing its
10 moral obligation to do so, the legislature hereby expresses its expectation and
11 aspiration that, if ever called upon to do so, it shall make this appropriation. This
12 paragraph applies only to bonds issued under, and in compliance with, this
13 subsection.

14 (k) *Minority contracting provisions.* 1. With regard to a public school
15 construction project that is financed from the proceeds of bonds that are issued under
16 this subsection, a person who is awarded a contract for construction work or
17 professional services shall agree, as a condition to receiving the contract, that at least
18 50% of the employees hired because of the contract will be minority group members,
19 as defined in s. 560.036 (1) (f).

20 2. With regard to a public school construction project that is financed from the
21 proceeds of bonds that are issued under this subsection, at least 50% of the aggregate
22 dollar value of contracts awarded shall be awarded to minority businesses, as defined
23 in s. 560.036 (1) (e), in the following areas:

24 a. Contracts for the construction of a public school.

1 b. Contracts for professional services related to the construction of a public
2 school.

3 (L) *Types of schools.* The proceeds of bonds issued under this subsection may
4 not be used for middle schools, for charter or private schools or for modular schools.

5 **SECTION 1630e.** 66.46 (2) (f) 1. L. of the statutes is created to read:

6 66.46 (2) (f) 1. L. Costs for the removal, or containment, of lead contamination
7 in buildings or infrastructure if the city declares that such lead contamination is a
8 public health concern.

9 **SECTION 1630ed.** 66.46 (4) (h) 1. of the statutes is amended to read:

10 66.46 (4) (h) 1. Subject to subds. 2. ~~and~~ 3. and 4., the planning commission may
11 at any time, by resolution, adopt an amendment to a project plan, which amendment
12 shall be subject to approval by the local legislative body and approval of the
13 amendment shall require the same findings as provided in par. (g). Any amendment
14 to a project plan is also subject to review by a joint review board, acting under sub.
15 (4m). Adoption of an amendment to a project plan shall be preceded by a public
16 hearing held by the plan commission at which interested parties shall be afforded a
17 reasonable opportunity to express their views on the amendment. Notice of the
18 hearing shall be published as a class 2 notice, under ch. 985. The notice shall include
19 a statement of the purpose and cost of the amendment and shall advise that a copy
20 of the amendment will be provided on request. Prior to such publication, a copy of
21 the notice shall be sent by 1st class mail to the chief executive officer or administrator
22 of all local governmental entities having the power to levy taxes on property within
23 the district and to the school board of any school district which includes property
24 located within the proposed district. For any county with no chief executive officer
25 or administrator, this notice shall be sent to the county board chairperson.

1 **SECTION 1630ef.** 66.46 (4) (h) 2. of the statutes is amended to read:

2 66.46 **(4)** (h) 2. Except as provided in ~~subd. subds. 3. and 4.~~, not more than once
3 during the 7 years after the tax incremental district is created, the planning
4 commission may adopt an amendment to a project plan under subd. 1. to modify the
5 district's boundaries by adding territory to the district that is contiguous to the
6 district and that is served by public works or improvements that were created as part
7 of the district's project plan. Expenditures for project costs that are incurred because
8 of an amendment to a project plan to which this subdivision applies may be made for
9 not more than 3 years after the date on which the local legislative body adopts a
10 resolution amending the project plan.

11 **SECTION 1630eh.** 66.46 (4) (h) 4. of the statutes is created to read:

12 66.46 **(4)** (h) 4. With regard to a village that has a population of less than 10,000,
13 was incorporated in 1914 and is located in a county that has a population of less than
14 25,000 and that contains a portion of the Yellow River and the Chequamegan Waters
15 Flowage, not more than once during the 11 years after the tax incremental district
16 is created, the planning commission may adopt an amendment to a project plan
17 under subd. 1. to modify the district's boundaries by adding territory to the district
18 that is contiguous to the district and that is to be served by public works or
19 improvements that were created as part of the district's project plan. Expenditures
20 for project costs that are incurred because of an amendment to a project plan to which
21 this subdivision applies may be made for not more than 5 years after the date on
22 which the local legislative body adopts a resolution amending the project plan.

23 **SECTION 1630em.** 66.46 (4m) (b) 2. of the statutes is amended to read:

24 66.46 **(4m)** (b) 2. ~~No~~ Except as provided in subd. 2m., no tax incremental
25 district may be created and no project plan may be amended unless the board

1 approves the resolution adopted under sub. (4) (gm) or (h) 1. by a majority vote not
2 less than 10 days nor more than 30 days after receiving the resolution.

3 **SECTION 1630f.** 66.46 (4m) (b) 2m. of the statutes is created to read:

4 66.46 (4m) (b) 2m. The requirement under subd. 2. that a vote by the board take
5 place not less than 10 days nor more than 30 days after receiving a resolution does
6 not apply to a resolution amending a project plan under sub. (4) (h) 1. if the resolution
7 relates to a tax incremental district, the application for the redetermination of the
8 tax incremental base of which was made in 1998, that is located in a village that was
9 incorporated in 1912, has a population of at least 3,800 and is located in a county with
10 a population of at least 108,000.

11 **SECTION 1630h.** 66.46 (5) (bf) of the statutes is created to read:

12 66.46 (5) (bf) Notwithstanding the time limits in par. (b), if the city clerk of a
13 city that created a tax incremental district in July 1997 files with the department of
14 revenue, not later than May 31, 1999, the forms and application that were originally
15 due on or before December 31, 1997, the tax incremental base of the district shall be
16 calculated by the department of revenue as if the forms and application had been
17 filed on or before December 31, 1997, and, until the tax incremental district
18 terminates, the department of revenue shall allocate tax increments and treat the
19 district in all other respects as if the forms and application had been filed on or before
20 December 31, 1997, except that the department may not certify a value increment
21 under par. (b) before 1999.

22 **SECTION 1630he.** 66.46 (5) (c) of the statutes is amended to read:

23 66.46 (5) (c) If the city adopts an amendment to the original project plan for any
24 district which includes additional project costs at least part of which will be incurred
25 after the period specified in sub. (6) (am) 1., the tax incremental base for the district

1 shall be redetermined, if sub. (4) (h) 2. ~~or~~ 3. or 4. applies to the amended project plan,
2 by adding to the tax incremental base the value of the taxable property that is added
3 to the existing district under sub. (4) (h) 2. ~~or~~ 3. or 4. or, if sub. (4) (h) 2. ~~or~~ 3. or 4.
4 does not apply to the amended project plan, under par. (b), as of the January 1 next
5 preceding the effective date of the amendment if the amendment becomes effective
6 between January 2 and September 30, as of the next subsequent January 1 if the
7 amendment becomes effective between October 1 and December 31 and if the
8 effective date of the amendment is January 1 of any year, the redetermination shall
9 be made on that date. The tax incremental base as redetermined under this
10 paragraph is effective for the purposes of this section only if it exceeds the original
11 tax incremental base determined under par. (b).

12 **SECTION 1630hh.** 66.46 (5) (ce) of the statutes is amended to read:

13 66.46 (5) (ce) If the city adopts an amendment, to which sub. (4) (h) 2. ~~or~~ 3. or
14 4. applies, the tax incremental base for the district shall be redetermined, by adding
15 to the tax incremental base the value of the taxable property that is added to the
16 existing district under sub. (4) (h) 2. ~~or~~ 3. or 4., as of the January 1 next preceding
17 the effective date of the amendment if the amendment becomes effective between
18 January 2 and September 30, as of the next subsequent January 1 if the amendment
19 becomes effective between October 1 and December 31 and if the effective date of the
20 amendment is January 1 of any year, the redetermination shall be made on that date.
21 The tax incremental base as redetermined under this paragraph is effective for the
22 purposes of this section only if it exceeds the original tax incremental base
23 determined under par. (b).

24 **SECTION 1630j.** 66.46 (5) (cf) of the statutes is created to read:

1 66.46 (5) (cf) If the city adopts an amendment to a plan, to which sub. (4m) (b)
2 2m. applies, the tax incremental base for the district shall be redetermined by adding
3 to the tax incremental base the value, as of January 1, 1998, of the taxable property
4 that is added to the existing district under sub. (4) (h) 1.

5 **SECTION 1630k.** 66.46 (6) (a) of the statutes is amended to read:

6 66.46 (6) (a) If the joint review board approves the creation of the tax
7 incremental district under sub. (4m), positive tax increments with respect to a tax
8 incremental district are allocated to the city which created the district for each year
9 commencing after the date when a project plan is adopted under sub. (4) (g). The
10 department of revenue shall not authorize allocation of tax increments until it
11 determines from timely evidence submitted by the city that each of the procedures
12 and documents required under sub. (4) (d) to (f) have been completed and all related
13 notices given in a timely manner. The department of revenue may authorize
14 allocation of tax increments for any tax incremental district only if the city clerk and
15 assessor annually submit to the department all required information on or before the
16 2nd Monday in June. The facts supporting any document adopted or action taken
17 to comply with sub. (4) (d) to (f) shall not be subject to review by the department of
18 revenue under this paragraph. Thereafter, the department of revenue shall
19 annually authorize allocation of the tax increment to the city that created such a
20 district until the department of revenue receives a notice under sub. (8) and the
21 notice has taken effect under sub. (8) (b), 27 years after the tax incremental district
22 is created if the district is created before October 1, 1995, 38 years after the tax
23 incremental district is created if the district is created before October 1, 1995, and
24 the project plan is amended under sub. (4) (h) 3. or 4. or 23 years after the tax

1 incremental district is created if the district is created after September 30, 1995,
2 whichever is sooner.

3 **SECTION 1630ke.** 66.46 (6) (am) 2. c. of the statutes is created to read:

4 66.46 (6) (am) 2. c. Expenditures for project costs for Tax Incremental District
5 Number Six in a city with a population of at least 45,000 that is located in a county
6 that was created in 1853 and that is adjacent to one of the Great Lakes. Such
7 expenditures may be made no later than 13 years after the tax incremental district
8 is created, and may be made through December 31, 2004.

9 **SECTION 1630kf.** 66.46 (6) (e) 1. b. of the statutes is amended to read:

10 66.46 (6) (e) 1. b. The Except as provided in subd. 1. c., the donor tax
11 incremental district and the recipient tax incremental district have been created
12 before October 1, 1995.

13 **SECTION 1630ki.** 66.46 (6) (e) 1. c. of the statutes is created to read:

14 66.46 (6) (e) 1. c. With respect to a tax incremental district that has been created
15 by a 1st class city, the donor tax incremental district and the recipient tax
16 incremental district have been created before October 1, 1996.

17 **SECTION 1630m.** 66.46 (6c) of the statutes is amended to read:

18 66.46 (6c) NOTIFICATION OF POSITION OPENINGS. (a) Any person who operates for
19 profit and is paid project costs under sub. (2) (f) 1. a., d., j. and k. in connection with
20 the project plan for a tax incremental district shall notify the department of
21 workforce development and the ~~area private industry council under the job training~~
22 ~~partnership act, 29 USC 1501 to 1798~~ local workforce development board established
23 under 29 USC 2832, of any positions to be filled in the county in which the city which
24 created the tax incremental district is located during the period commencing with
25 the date the person first performs work on the project and ending one year after

1 receipt of its final payment of project costs. The person shall provide this notice at
2 least 2 weeks prior to advertising the position.

3 (b) Any person who operates for profit and buys or leases property in a tax
4 incremental district from a city for which the city incurs real property assembly costs
5 under sub. (2) (f) 1. c. shall notify the department of workforce development and the
6 ~~area private industry council under the job training partnership act, 29 USC 1501~~
7 ~~to 1798~~ local workforce development board established under 29 USC 2832, of any
8 position to be filled in the county in which the city creating the tax incremental
9 district is located within one year after the sale or commencement of the lease. The
10 person shall provide this notice at least 2 weeks prior to advertising the position.

11 **SECTION 1630q.** 66.46 (7) (ar) of the statutes is amended to read:

12 66.46 (7) (ar) Notwithstanding par. (am), 22 years after the last expenditure
13 identified in the project plan is made if the district to which the plan relates is created
14 before October 1, 1995, and the project plan is amended under sub. (4) (h) 3. or 4.

15 **SECTION 1632.** 66.462 (1) (c) of the statutes is amended to read:

16 66.462 (1) (c) “Eligible costs” means capital costs, financing costs and
17 administrative and professional service costs, incurred or estimated to be incurred
18 by a political subdivision, for the investigation, removal, containment or monitoring
19 of, or the restoration of soil, air, surface water, sediments or groundwater affected by,
20 environmental pollution, including monitoring costs incurred within 2 years after
21 the date on which the department of natural resources certifies that environmental
22 pollution on the property has been remediated, cancellation of delinquent taxes,
23 property acquisition costs, demolition costs including asbestos removal, and
24 removing and disposing of underground storage tanks or abandoned containers, as
25 defined in s. 292.41 (1), except that for any parcel of land “eligible costs” shall be

1 reduced by any amounts received from persons responsible for the discharge, as
2 defined in s. 292.01 (3), of a hazardous substance on the property to pay for the costs
3 of remediating environmental pollution on the property, by any amounts received,
4 or reasonably expected by the political subdivision to be received, from a local, state
5 or federal program for the remediation of contamination in the district that do not
6 require reimbursement or repayment and by the amount of net gain from the sale
7 of the property by the political subdivision. “Eligible costs” associated with
8 groundwater affected by environmental pollution include investigation and
9 remediation costs for groundwater that is located in, and extends beyond, the
10 property that is being remediated.

11 **SECTION 1634a.** 66.462 (2) of the statutes is amended to read:

12 66.462 (2) USE OF ENVIRONMENTAL REMEDIATION TAX INCREMENTS. A political
13 subdivision that develops, and whose governing body approves, a written proposal
14 to remediate environmental pollution ~~on property owned by the political subdivision~~
15 may use an environmental remediation tax increment to pay the eligible costs of
16 remediating environmental pollution on contiguous parcels of property that is are
17 located within the political subdivision and that are not part of a tax incremental
18 district created under s. 66.46 ~~and that is owned by the political subdivision at the~~
19 ~~time of the remediation and then transferred to another person after the property is~~
20 ~~remediated, as provided in this section, except that a political subdivision may use~~
21 an environmental remediation tax increment to pay the cost of remediating
22 environmental pollution of groundwater without regard to whether the property
23 above the groundwater is owned by the political subdivision. No political subdivision
24 may submit an application to the department under sub. (4) until the joint review
25 board approves the political subdivision’s written proposal under sub. (3).

1 **SECTION 1634c.** 66.462 (2) (b) of the statutes is created to read:

2 66.462 **(2)** (b) No expenditure for an eligible cost may be made by a political
3 subdivision later than 15 years after the environmental remediation tax incremental
4 base is certified by the department under sub. (4).

5 **SECTION 1635.** 66.462 (3) (a) of the statutes is amended to read:

6 66.462 **(3)** (a) Any political subdivision that seeks to use an environmental
7 remediation tax increment under sub. (2) shall convene a joint review board to review
8 the proposal. The board shall consist of one representative chosen by the school
9 district that has power to levy taxes on the property that is remediated, one
10 representative chosen by the technical college district that has power to levy taxes
11 on the property, one representative chosen by the county that has power to levy taxes
12 on the property that is remediated, one representative chosen by the ~~political~~
13 ~~subdivision~~ city, village or town that has power to levy taxes on the property that is
14 remediated and one public member. If more than one city, village or town, more than
15 one school district, more than one technical college district or more than one county
16 has the power to levy taxes on the property that is remediated, the unit in which is
17 located property that has the greatest value shall choose that representative to the
18 board. The public member and the board's chairperson shall be selected by a majority
19 of the other board members at the board's first meeting. All board members shall be
20 appointed and the first board meeting held within 14 days after the political
21 subdivision's governing body approves the written proposal under sub. (2).
22 Additional meetings of the board shall be held upon the call of any member. The
23 political subdivision that seeks to act under sub. (2) shall provide administrative
24 support for the board. By majority vote, the board may disband following approval
25 or rejection of the proposal.

1 **SECTION 1636.** 66.462 (4) (a) of the statutes is amended to read:

2 66.462 **(4)** (a) The political subdivision submits a statement that it has incurred
3 some eligible costs, and includes with the statement a detailed proposed remedial
4 action plan approved by the department of natural resources that contains cost
5 estimates for anticipated eligible costs and a schedule for the design, implementation
6 and construction that is needed to complete the remediation, with respect to the
7 parcel or contiguous parcels of property and the statement details the purpose and
8 amount of the expenditures already made and includes a dated certificate issued by
9 the department of natural resources that certifies that ~~environmental pollution on~~
10 ~~the parcel of property has been remediated~~ the department of natural resources has
11 approved the site investigation report that relates to the parcel or contiguous parcels
12 in accordance with rules promulgated by the department of natural resources.

13 **SECTION 1636e.** 66.462 (4) (c) of the statutes is amended to read:

14 66.462 **(4)** (c) The political subdivision submits a statement, signed by its chief
15 executive officer, that the political subdivision has attempted to recover the cost of
16 remediating environmental pollution on the property from ~~responsible parties~~ the
17 person who caused the environmental pollution.

18 **SECTION 1636s.** 66.462 (7) (a) of the statutes is amended to read:

19 66.462 **(7)** (a) Subject to pars. (b) ~~and~~, (c) and (d), the department shall annually
20 authorize the positive environmental remediation tax increment with respect to a
21 parcel of property during the period of certification to the political subdivision that
22 incurred the costs to remediate environmental pollution on the property, except that
23 an authorization granted under this paragraph does not apply after the department
24 receives the notice described under sub. (10) (b).

25 **SECTION 1636u.** 66.462 (7) (d) of the statutes is created to read:

1 66.462 (7) (d) 1. The department may not authorize a positive environmental
2 remediation tax increment under par. (a) to pay otherwise eligible costs that are
3 incurred by the political subdivision after the department of natural resources
4 certifies to the department of revenue that environmental pollution on the parcel of
5 property has been remediated unless the costs are associated with activities, as
6 determined by the department of natural resources, that are necessary to close the
7 site described in the site investigation report.

8 2. The department of natural resources shall certify to the department of
9 revenue the completion of the remediation of environmental pollution at the site
10 described in the site investigation report.

11 **SECTION 1637t.** 66.521 (6m) of the statutes is amended to read:

12 66.521 (6m) NOTIFICATION OF POSITION OPENINGS. A municipality may not enter
13 into a revenue agreement with any person who operates for profit unless that person
14 has agreed to notify the department of workforce development and the area private
15 industry council under the job training partnership act, 29 USC 1501 to 1798 local
16 workforce development board established under 29 USC 2832, of any position to be
17 filled in that municipality within one year after issuance of the revenue bonds. The
18 person shall provide this notice at least 2 weeks before advertising the position. The
19 notice required by this subsection does not affect the offer of employment
20 requirements of sub. (4s).

21 **SECTION 1638m.** 66.75 (1m) (f) 3. of the statutes is amended to read:

22 66.75 (1m) (f) 3. From the appropriation under s. 20.835 (4) (gg), the
23 department of revenue shall distribute 97% 97.45% of the taxes collected under this
24 paragraph for each district to that district, no later than the end of the month
25 following the end of the calendar quarter in which the amounts were collected. The

1 taxes distributed shall be increased or decreased to reflect subsequent refunds, audit
2 adjustments and all other adjustments. Interest paid on refunds of the tax under
3 this paragraph shall be paid from the appropriation under s. 20.835 (4) (gg) at the
4 rate under s. 77.60 (1) (a). Any district that receives a report along with a payment
5 under this subdivision or subd. 2. is subject to the duties of confidentiality to which
6 the department of revenue is subject under s. 77.61 (5).

7 **SECTION 1641m.** 66.904 (2) (a) of the statutes is amended to read:

8 66.904 (2) (a) Except for a contract awarded under pars. (f) to (j) and except as
9 provided in par. (b), all work done and all purchases of supplies and materials by the
10 commission shall be by contract awarded to the lowest responsible bidder complying
11 with the invitation to bid, if the work or purchase involves an expenditure of \$7,500
12 \$20,000 or more. If the commission decides to proceed with construction of any sewer
13 after plans and specifications for the sewer are completed and approved by the
14 commission and by the department of natural resources under ch. 281, the
15 commission shall advertise by a class 2 notice under ch. 985 for construction bids.
16 All contracts and the awarding of contracts are subject to s. 66.29, except for a
17 contract awarded under pars. (f) to (j).

18 **SECTION 1641no.** 66.904 (2) (e) of the statutes is amended to read:

19 66.904 (2) (e) Paragraphs (a) to (d) do not apply to contracts awarded under s.
20 66.905. Paragraphs (f) to (j) do apply to contracts awarded under s. 66.905.

21 **SECTION 1641q.** 66.904 (2) (f) to (j) of the statutes are created to read:

22 66.904 (2) (f) In this subsection, “design–build construction process” means a
23 procurement process under which the engineering, design and construction services
24 are provided by a single entity under a process described under par. (g).

1 (g) If the commission wishes to construct a public work under par. (j) using the
2 design–build construction process, the commission shall use a selection process that
3 contains the following procedures:

4 1. The commission shall issue a request for proposals from design–build teams
5 by publishing a class 1 notice under ch. 985. The notice shall include a project
6 statement that describes the space needs and design goals for the project, detailed
7 submission requirements, selection procedures, site information, an outline of
8 specifications for the project, a budget for the project, a project schedule, the
9 composition of the selection panel, the approximate amount of the bond that the
10 commission will require under par. (h) and whether the commission will offer a
11 stipend to unsuccessful design–build teams and, if so, the amount of the stipend.

12 2. Following receipt of the proposals, the commission shall select 5 or less
13 design–build teams to participate in the final stage of the selection process. The
14 selection of teams under this subdivision shall be based on factors that include the
15 background, experience and qualifications of the members of the teams; the financial
16 strength and surety capacity of the teams; the quality of the initial proposal; and the
17 past performance and current workload of the teams. The commission selection
18 panel that selects the teams under this subdivision for the final selection process
19 under subd. 3. may include design and construction professionals who work for the
20 commission or are hired by the commission to assist in the selection, commissioners
21 and representatives from the unit of the commission that will use the facility that is
22 to be constructed under the selection process described in this paragraph.

23 3. The commission shall make a final selection from among the teams selected
24 under subd. 2. if the commission determines that at least one of the teams selected
25 as a finalist under subd. 2. will be able to construct the public work in a way that is

1 satisfactory to the commission. The final selection shall be made following
2 interviews and presentations from the finalists, based on criteria that are published
3 as a class 1 notice under ch. 985. The notice shall state the weight that is given to
4 each criterion. The criteria to be used in making a final selection under this
5 subdivision may include the quality of the proposed design, the construction
6 approach to be used to complete the project, the extent to which a proposal
7 demonstrates compliance with the project statement described under subd. 1., the
8 proposed management plan for the project, the estimated cost of the project and a
9 guaranteed maximum price for the project.

10 (h) If the commission selects a design–build team under par. (g) 3. and enters
11 into a contract for the construction of the project, the design–build team shall obtain
12 bonding, in an amount specified by the commission, to guarantee completion of the
13 project according to the terms of the contract.

14 (i) 1. In this paragraph:

15 a. “Minority business” has the meaning given in s. 560.036 (1) (e).

16 b. “Minority group member” has the meaning given in s. 560.036 (1) (f).

17 c. “Women’s business” means a sole proprietorship, partnership, joint venture
18 or corporation that is at least 51% owned, controlled and actively managed by
19 women.

20 2. The commission shall ensure that, for construction work and professional
21 services contracts that relate to a public work under par. (j) for which the
22 design–build construction process is used, a person who is awarded such a contract
23 by the commission shall agree, as a condition to receiving the contract, that his or her
24 goal shall be to ensure that at least 25% of the employes hired because of the contract

1 will be minority group members and at least 5% of the employees hired because of the
2 contract will be women.

3 3. It shall be a goal of the commission to ensure that at least 25% of the
4 aggregate dollar value of all contracts awarded by the commission in the following
5 areas shall be awarded to minority businesses and at least 5% of the aggregate dollar
6 value of all contracts awarded by the commission in the following areas shall be
7 awarded to women’s businesses:

8 a. Construction contracts that relate to a public work under par. (j) for which
9 the design–build construction process is used.

10 b. Professional services contracts that relate to a public work under par. (j) for
11 which the design–build construction process is used.

12 4. It shall be a goal of the commission, with regard to each of the contracts
13 described under subd. 3. a. and b., to award at least 25% of the dollar value of such
14 contracts to minority businesses and at least 5% of the dollar value of such contracts
15 to women’s businesses.

16 5. a. The commission shall hire an independent person to monitor the
17 commission’s compliance with minority contracting goals under subds. 2., 3. and 4.
18 The person hired shall have previous experience working with minority group
19 members. The commission shall develop a mechanism to receive regular reports
20 from the person hired with respect to the results of the person’s studies of compliance
21 with minority contracting goals.

22 b. If the commission or a contractor is unable to meet the goals under subd. 2.,
23 3. or 4., the person hired under subd. 5. a. shall assess whether the commission or
24 contractor made a good faith effort to reach the goals. In determining whether a good

1 faith effort was made to meet the goals, the person hired shall consider all of the
2 factors listed in subd. 6.

3 6. The factors to be considered under subd. 5. b. are:

4 a. The supply of eligible minority businesses and women’s businesses that have
5 the financial capacity, technical capacity and previous experience in the areas in
6 which contracts were awarded.

7 b. The competing demands for the services provided by eligible minority
8 businesses and women’s businesses, as described in subd. 6. a., in areas in which
9 contracts were awarded.

10 c. The extent to which the commission or contractors advertised for and
11 aggressively solicited bids from eligible minority businesses and women’s
12 businesses, as described in subd. 6. a., and the extent to which eligible minority
13 businesses and women’s businesses submitted bids.

14 (j) Any contract for public construction under sub. (1), for any of the following
15 projects, may be let using the design–build construction process:

16 1. Central metropolitan interceptor sewer projects.

17 2. Any projects that are required to implement the department of natural
18 resources–approved 2010 facility plan.

19 3. Watercourse flood control projects for any of the following:

20 a. Menomonee River.

21 b. Root River.

22 c. Kinnickinnic River.

23 d. Lincoln Creek.

24 **SECTION 1642m.** 66.94 (9m) of the statutes is created to read:

1 **66.94 (9m)** LIMIT ON CONTRACTING FOR LIGHT RAIL. Notwithstanding any other
2 provision of this section, no authority may enter into a contract for any purpose
3 related to a light rail mass transit system if the cost of any of the contracted items
4 would be paid for by, or reimbursed with, federal funds received under P.L. 102–240,
5 section 1045, or P.L. 105–277, section 373, or any funds received from the state. This
6 subsection does not apply to any light rail mass transit system that is being
7 constructed on the effective date of this subsection [revisor inserts date]. This
8 subsection does not apply to any funds expended or activity related to a mass transit
9 system that is done under the memorandum of agreement concerning USH 12
10 between Middleton and Lake Delton, Wisconsin, that was executed by the governor,
11 the secretary of transportation, the secretary of natural resources, the county
12 executive of Dane County, the administrative coordinator of Sauk County, and
13 others, and that became effective on April 22, 1999. This subsection does not apply
14 after June 30, 2001.

15 **SECTION 1644.** 66.945 (8) (a) of the statutes is amended to read:

16 **66.945 (8)** (a) The regional planning commission may conduct all types of
17 research studies, collect and analyze data, prepare maps, charts and tables, and
18 conduct all necessary studies for the accomplishment of its other duties; it may,
19 consistent with the elements specified in s. 66.0295, make plans for the physical,
20 social and economic development of the region, and may, consistent with the
21 elements specified in s. 66.0295, adopt by resolution any plan or the portion of any
22 plan so prepared as its official recommendation for the development of the region; it
23 may publicize and advertise its purposes, objectives and findings, and may distribute
24 reports thereon; it may provide advisory services on regional planning problems to
25 the local government units within the region and to other public and private agencies

1 in matters relative to its functions and objectives, and may act as a coordinating
2 agency for programs and activities of such local units and agencies as they relate to
3 its objectives. All public officials shall, upon request, furnish to the regional planning
4 commission, within a reasonable time, such available information as it requires for
5 its work. In general, the regional planning commission shall have all powers
6 necessary to enable it to perform its functions and promote regional planning. The
7 functions of the regional planning commission shall be solely advisory to the local
8 governments and local government officials comprising the region.

9 **SECTION 1645.** 66.945 (9) of the statutes is amended to read:

10 66.945 (9) PREPARATION OF MASTER PLAN FOR REGION. The regional planning
11 commission shall have the function and duty of making and adopting a master plan
12 for the physical development of the region. The master plan, with the accompanying
13 maps, plats, charts, programs and descriptive and explanatory matter, shall show
14 the commission's recommendations for such physical development and ~~may include,~~
15 ~~among other things without limitation because of enumeration, the general location,~~
16 ~~character and extent of main traffic arteries, bridges and viaducts; public places and~~
17 ~~areas; parks; parkways; recreational areas; sites for public buildings and structures;~~
18 ~~airports; waterways; routes for public transit; and the general location and extent~~
19 ~~of main and interceptor sewers, water conduits and other public utilities whether~~
20 ~~privately or publicly owned; areas for industrial, commercial, residential,~~
21 ~~agricultural or recreational development~~ shall contain at least the elements
22 described in s. 66.0295. The regional planning commission may amend, extend or
23 add to the master plan or carry any part or subject matter into greater detail.

24 **SECTION 1646.** 66.945 (10) of the statutes is amended to read:

1 **66.945 (10)** ADOPTION OF MASTER PLAN FOR REGION. The master plan shall be
2 made with the general purpose of guiding and accomplishing a coordinated, adjusted
3 and harmonious development of the region which will, in accordance with existing
4 and future needs, best promote public health, safety, morals, order, convenience,
5 prosperity or the general welfare, as well as efficiency and economy in the process
6 of development. The regional planning commission may adopt the master plan as
7 a whole by a single resolution, or, as the work of making the whole master plan
8 progresses, may by resolution adopt a part or parts thereof, any such part to
9 correspond generally with one or more of the ~~functional subdivisions of the subject~~
10 ~~matter of the plan~~ elements specified in s. 66.0295. The resolution shall refer
11 expressly to the maps, plats, charts, programs and descriptive and explanatory
12 matter, and other matters intended by the regional planning commission to form the
13 whole or any part of the plan, and the action taken shall be recorded on the adopted
14 plan or part thereof by the identifying signature of the chairperson of the regional
15 planning commission and a copy of the plan or part thereof shall be certified to the
16 legislative bodies of the local governmental units within the region. The purpose and
17 effect of adoption of the master plan shall be solely to aid the regional planning
18 commission and the local governments and local government officials comprising the
19 region in the performance of their functions and duties.

20 **SECTION 1647.** 67.04 (5) (b) 2. of the statutes is repealed.

21 **SECTION 1647c.** 67.04 (5) (b) 4. of the statutes is created to read:

22 **67.04 (5) (b) 4.** To pay unfunded prior service liability contributions under the
23 Wisconsin retirement system if all of the proceeds of the note will be used to pay for
24 such contributions.

25 **SECTION 1648g.** 67.05 (6m) (intro.) of the statutes is amended to read:

1 **67.05 (6m)** HEARING AND REFERENDUM IN TECHNICAL COLLEGE DISTRICTS. (intro.)
2 ~~Prior~~ Unless sub. (7) (k) applies, prior to the adoption of an initial resolution under
3 sub. (1), the technical college district board shall adopt a resolution stating its
4 intention to borrow money for the purposes specified in s. 38.16 (2) and setting a date,
5 time and place for a public hearing on the resolution adopted under this subsection
6 which shall be held within 30 days after its adoption. The technical college district
7 secretary immediately shall publish a copy of the resolution adopted under this
8 subsection as a class 1 notice, under ch. 985.

9 **SECTION 1648m.** 67.05 (7) (k) of the statutes is created to read:

10 67.05 (7) (k) Subsection (6m) does not apply to an initial resolution adopted by
11 a technical college district board to purchase or construct a facility to be used as an
12 applied technology center to which s. 38.15 (3) (c) applies.

13 **SECTION 1649.** 67.12 (12) (a) of the statutes is amended to read:

14 67.12 (12) (a) Any municipality may issue promissory notes as evidence of
15 indebtedness for any public purpose, as defined in s. 67.04 (1) (b), including but not
16 limited to paying any general and current municipal expense, and refunding any
17 municipal obligations, including interest on them. Each note, plus interest if any,
18 shall be repaid within 10 years after the original date of the note, except that notes
19 issued under this section for purposes of ss. 145.245 (12m), 281.58 and, 281.59,
20 281.595, 281.60 and 281.61, or to raise funds to pay a portion of the capital costs of
21 a metropolitan sewerage district, shall be repaid within 20 years after the original
22 date of the note.

23 **SECTION 1649m.** 67.12 (12) (k) of the statutes is created to read:

1 67.12 (12) (k) Paragraph (e) 5. does not apply to borrowing by a technical college
2 district board to purchase or construct a facility to be used as an applied technology
3 center if s. 38.15 (3) (c) applies.

4 **SECTION 1649r.** 69.22 (1) (c) of the statutes is amended to read:

5 69.22 (1) (c) ~~Twelve~~ Fourteen dollars for issuing a copy of a birth certificate,
6 \$1.40 of which shall be forwarded to the state treasurer as provided in sub. (1m) and
7 credited to the appropriation under s. 20.435 (5) (jk) and \$7 of which shall be
8 forwarded to the state treasurer as provided in sub. (1m) and credited to the
9 appropriations under s. 20.433 (1) (g) and (h).

10 **SECTION 1649s.** 69.22 (1) (c) of the statutes, as affected by 1999 Wisconsin Act
11 (this act), is repealed and recreated to read:

12 69.22 (1) (c) Twelve dollars for issuing a copy of a birth certificate, \$7 of which
13 shall be forwarded to the state treasurer as provided in sub. (1m) and credited to the
14 appropriations under s. 20.433 (1) (g) and (h).

15 **SECTION 1650.** 69.30 (1) (am) of the statutes is created to read:

16 69.30 (1) (am) “Family care district” has the meaning given in s. 46.2805 (5).

17 **SECTION 1651.** 69.30 (2) of the statutes is amended to read:

18 69.30 (2) A financial institution, state agency, county department, Wisconsin
19 works agency ~~or~~ service office or family care district or an employe of a financial
20 institution, state agency, county department, Wisconsin works agency ~~or~~ service
21 office or family care district is not subject to s. 69.24 (1) (a) for copying a certified copy
22 of a vital record for use by the financial institution, state agency, county department,
23 Wisconsin works agency ~~or~~ service office or family care district, including use under
24 s. 45.36 (4m), if the copy is marked “FOR ADMINISTRATIVE USE”.

25 **SECTION 1652.** 70.11 (2) of the statutes is amended to read:

1 70.11 (2) MUNICIPAL PROPERTY AND PROPERTY OF CERTAIN DISTRICTS, EXCEPTION.
2 Property owned by any county, city, village, town, school district, technical college
3 district, public inland lake protection and rehabilitation district, metropolitan
4 sewerage district, municipal water district created under s. 198.22, joint local water
5 authority created under s. 66.0735, family care district under s. 46.2895 or town
6 sanitary district; lands belonging to cities of any other state used for public parks;
7 land tax–deeded to any county or city before January 2; but any residence located
8 upon property owned by the county for park purposes which is rented out by the
9 county for a nonpark purpose shall not be exempt from taxation. Except as to land
10 acquired under s. 59.84 (2) (d), this exemption shall not apply to land conveyed after
11 August 17, 1961, to any such governmental unit or for its benefit while the grantor
12 or others for his or her benefit are permitted to occupy the land or part thereof in
13 consideration for the conveyance. Leasing the property exempt under this
14 subsection, regardless of the lessee and the use of the leasehold income, does not
15 render that property taxable.

16 **SECTION 1653.** 70.11 (35) of the statutes is amended to read:

17 70.11 (35) CULTURAL AND ARCHITECTURAL LANDMARKS. Property described in s.
18 234.935 (1), 1997 stats.

19 **SECTION 1653b.** 70.11 (39) of the statutes is amended to read:

20 70.11 (39) COMPUTERS. If the owner of the property fulfills the requirements
21 under s. 70.35, mainframe computers, minicomputers, personal computers,
22 networked personal computers, servers, terminals, monitors, disk drives, electronic
23 peripheral equipment, tape drives, printers, basic operational programs, systems
24 software, prewritten software and custom software. The exemption under this
25 subsection does not apply to automatic teller machines, fax machines, copiers,

1 equipment with embedded computerized components or telephone systems,
2 including equipment that is used to provide telecommunications services, as defined
3 in s. 76.80 (3).

4 **SECTION 1653dm.** 70.111 (3) of the statutes is amended to read:

5 70.111 (3) BOATS. Watercraft employed regularly in interstate traffic.
6 ~~Watercraft, watercraft~~ laid up for repairs.—~~All, all~~ pleasure watercraft used for
7 recreational purposes.—~~Commercial, commercial~~ fishing boats.—~~Charter and~~
8 equipment that is used by commercial fishing boats, charter sailboats and charter
9 boats, other than sailboats, that are used for tours.

10 **SECTION 1653d.** 70.111 (24) of the statutes is created to read:

11 70.111 (24) MOTION PICTURE THEATER EQUIPMENT. Projection equipment, sound
12 systems and projection screens that are owned and used by a motion picture theater.

13 **SECTION 1653f.** 70.111 (25) of the statutes is created to read:

14 70.111 (25) DIGITAL BROADCASTING EQUIPMENT. Digital broadcasting equipment
15 owned and used by a radio station or a television station, except that this subsection
16 does not apply to digital broadcasting equipment that is owned and used by a cable
17 television system, as defined in s. 66.082 (2) (d).

18 **SECTION 1655m.** 70.32 (1g) of the statutes is amended to read:

19 70.32 (1g) In addition to the factors set out in sub. (1), the assessor shall
20 consider the effect on the value of the property of any zoning ordinance under s.
21 59.692, 61.351 or 62.231, any conservation easement under s. 700.40, any
22 conservation restriction under an agreement with the federal government and any
23 restrictions under ch. 91. Beginning with the property tax assessments as of
24 January 1, 2000, the assessor may not consider the effect on the value of the property

1 of any federal income tax credit that is extended to the property owner under section
2 42 of the Internal Revenue Code.

3 **SECTION 1655L.** 70.32 (2) (c) 1. of the statutes is amended to read:

4 70.32 (2) (c) 1. “Agricultural land” means land, exclusive of buildings and
5 improvements, that is devoted primarily to agricultural use, as defined by rule,
6 except that “agricultural land” does not include land that generated less than \$2,000
7 in gross farm profits resulting from agricultural use as defined under s. 91.01 (1) in
8 the preceding year.

9 **SECTION 1655p.** 70.337 (5) of the statutes is amended to read:

10 70.337 (5) Each person that is required to file a report under sub. (1) shall pay
11 a reasonable fee that is sufficient to defray the costs to the taxation district of
12 distributing and reviewing the forms under sub. (1) and of preparing the form for the
13 department of revenue under sub. (2). The amount of the fee shall be established by
14 the governing body of the taxation district. This subsection does not apply to a church
15 or religious association that is required to file a report under sub. (1).

16 **SECTION 1660m.** 70.58 of the statutes is amended to read:

17 **70.58 Forestation state tax.** There is levied an annual tax of two-tenths of
18 one mill for each dollar of the assessed valuation of the property of the state as
19 determined by the department of revenue under s. 70.57, for the purpose of
20 acquiring, preserving and developing the forests of the state and for the purpose of
21 forest crop law and county forest law administration and aid payments, for grants
22 to forestry cooperatives under s. 36.56, and for the acquisition, purchase and
23 development of forests described under s. 25.29 (7) (a) and (b), the proceeds of the tax
24 to be paid into the conservation fund. The tax shall not be levied in any year in which

1 general funds are appropriated for the purposes specified in this section, equal to or
2 in excess of the amount which the tax would produce.

3 **SECTION 1673d.** 71.01 (6) (e) of the statutes is repealed.

4 **SECTION 1673e.** 71.01 (6) (f) of the statutes is amended to read:

5 71.01 **(6)** (f) For taxable years that begin after December 31, 1990, and before
6 January 1, 1992, for natural persons and fiduciaries, except fiduciaries of nuclear
7 decommissioning trust or reserve funds, “~~internal revenue code~~ Internal Revenue
8 Code” means the federal ~~internal revenue code~~ Internal Revenue Code as amended
9 to December 31, 1990, and as amended by P.L. 102–90, P.L. 102–227, P.L. 102–486,
10 P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, and P.L. 105–34,
11 P.L. 105–206 and P.L. 105–277, and as indirectly affected by P.L. 99–514, P.L.
12 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L.
13 101–280, P.L. 101–508, P.L. 102–90, P.L. 102–227, P.L. 102–486, P.L. 103–66, P.L.
14 104–188, excluding section 1311 of P.L. 104–188, and P.L. 105–34, P.L. 105–206 and
15 P.L. 105–277. The ~~internal revenue code~~ Internal Revenue Code applies for
16 Wisconsin purposes at the same time as for federal purposes. Amendments to the
17 federal ~~internal revenue code~~ Internal Revenue Code enacted after
18 December 31, 1990, do not apply to this paragraph with respect to taxable years
19 beginning after December 31, 1990, and before January 1, 1992, except that
20 changes to the ~~internal revenue code~~ Internal Revenue Code made by P.L. 102–90,
21 P.L. 102–227, P.L. 102–486, P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L.
22 104–188, and P.L. 105–34, P.L. 105–206 and P.L. 105–277 and changes that
23 indirectly affect the federal ~~internal revenue code~~ Internal Revenue Code made by
24 P.L. 102–90, P.L. 102–227, P.L. 102–486, P.L. 103–66, P.L. 104–188, excluding section

1 1311 of P.L. 104–188, and P.L. 105–34, P.L. 105–206 and P.L. 105–277, apply for
2 Wisconsin purposes at the same time as for federal purposes.

3 **SECTION 1673f.** 71.01 (6) (g) of the statutes is amended to read:

4 71.01 (6) (g) For taxable years that begin after December 31, 1991, and before
5 January 1, 1993, for natural persons and fiduciaries, except fiduciaries of nuclear
6 decommissioning trust or reserve funds, “~~internal revenue code~~ Internal Revenue
7 Code” means the federal ~~internal revenue code~~ Internal Revenue Code as amended
8 to December 31, 1991, excluding sections 103, 104 and 110 of P.L. 102–227, and as
9 amended by P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13101 (a)
10 and (c) 1, 13171 and 13174 of P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L.
11 104–188, and P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected
12 by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179,
13 P.L. 101–239, P.L. 101–280, P.L. 101–508, P.L. 102–90, P.L. 102–227, excluding
14 sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66,
15 excluding sections 13101 (a) and (c) 1, 13171 and 13174 of P.L. 103–66, P.L. 104–188,
16 excluding section 1311 of P.L. 104–188, and P.L. 105–34, P.L. 105–206 and P.L.
17 105–277. The ~~internal revenue code~~ Internal Revenue Code applies for Wisconsin
18 purposes at the same time as for federal purposes. Amendments to the federal
19 ~~internal revenue code~~ Internal Revenue Code enacted after December 31, 1991, do
20 not apply to this paragraph with respect to taxable years beginning after
21 December 31, 1991, and before January 1, 1993, except that changes to the ~~internal~~
22 ~~revenue code~~ Internal Revenue Code made by P.L. 102–318, P.L. 102–486, P.L.
23 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, and P.L. 105–34, P.L.
24 105–206 and P.L. 105–277 and changes that indirectly affect the provisions
25 applicable to this subchapter made by P.L. 102–318, P.L. 102–486, P.L. 103–66, P.L.

1 104–188, excluding section 1311 of P.L. 104–188, and P.L. 105–34, P.L. 105–206 and
2 P.L. 105–277, apply for Wisconsin purposes at the same time as for federal purposes.

3 **SECTION 1673g.** 71.01 (6) (h) of the statutes is amended to read:

4 71.01 **(6)** (h) For taxable years that begin after December 31, 1992, and before
5 January 1, 1994, for natural persons and fiduciaries, except fiduciaries of nuclear
6 decommissioning trust or reserve funds, “~~internal revenue code~~ Internal Revenue
7 Code” means the federal ~~internal revenue code~~ Internal Revenue Code as amended
8 to December 31, 1992, excluding sections 103, 104 and 110 of P.L. 102–227, and as
9 amended by P.L. 103–66, excluding sections 13101 (a) and (c) 1, 13113, 13150, 13171,
10 13174 and 13203 of P.L. 103–66, P.L. 103–465, P.L. 104–188, excluding section 1311
11 of P.L. 104–188, and P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly
12 affected by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L.
13 101–179, P.L. 101–239, P.L. 101–280, P.L. 101–508, P.L. 102–90, P.L. 102–227,
14 excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L.
15 103–66, excluding sections 13101 (a) and (c) 1, 13113, 13150, 13171, 13174 and 13203
16 of P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, and P.L. 105–34,
17 P.L. 105–206 and P.L. 105–277. The ~~internal revenue code~~ Internal Revenue Code
18 applies for Wisconsin purposes at the same time as for federal purposes.
19 Amendments to the federal ~~internal revenue code~~ Internal Revenue Code enacted
20 after December 31, 1992, do not apply to this paragraph with respect to taxable years
21 beginning after December 31, 1992, and before January 1, 1994, except that
22 changes to the ~~internal revenue code~~ Internal Revenue Code made by P.L. 103–66,
23 P.L. 103–465, P.L. 104–188, excluding section 1311 of P.L. 104–188, and P.L. 105–34,
24 P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the provisions
25 applicable to this subchapter made by P.L. 103–66, P.L. 103–465, P.L. 104–188,

1 excluding section 1311 of P.L. 104–188, and P.L. 105–34, P.L. 105–206 and P.L.
2 105–277, apply for Wisconsin purposes at the same time as for federal purposes.

3 **SECTION 1673h.** 71.01 (6) (i) of the statutes is amended to read:

4 71.01 (6) (i) For taxable years that begin after December 31, 1993, and before
5 January 1, 1995, for natural persons and fiduciaries, except fiduciaries of nuclear
6 decommissioning trust or reserve funds, “~~internal revenue code~~ Internal Revenue
7 Code” means the federal ~~internal revenue code~~ Internal Revenue Code as amended
8 to December 31, 1993, excluding sections 103, 104 and 110 of P.L. 102–227 and
9 sections 13113, 13150 (d), 13171 (d), 13174, 13203 (d) and 13215 of P.L. 103–66 and
10 as amended by P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, excluding
11 section 1 of P.L. 104–7, P.L. 104–188, excluding section 1311 of P.L. 104–188, P.L.
12 104–191, P.L. 104–193 and, P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as
13 indirectly affected by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L.
14 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–280, P.L. 101–508, P.L. 102–90, P.L.
15 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L.
16 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, 13203
17 (d) and 13215 of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7,
18 excluding section 1 of P.L. 104–7, P.L. 104–188, excluding section 1311 of P.L.
19 104–188, P.L. 104–191, P.L. 104–193 and, P.L. 105–34, P.L. 105–206 and P.L.
20 105–277. The ~~internal revenue code~~ Internal Revenue Code applies for Wisconsin
21 purposes at the same time as for federal purposes. Amendments to the federal
22 ~~internal revenue code~~ Internal Revenue Code enacted after December 31, 1993, do
23 not apply to this paragraph with respect to taxable years beginning after
24 December 31, 1993, and before January 1, 1995, except that changes to the ~~internal~~
25 ~~revenue code~~ Internal Revenue Code made by P.L. 103–296, P.L. 103–337, P.L.

1 103–465, P.L. 104–7, excluding section 1 of P.L. 104–7, P.L. 104–188, excluding
2 section 1311 of P.L. 104–188, P.L. 104–191, P.L. 104–193 and, P.L. 105–34, P.L.
3 105–206 and P.L. 105–277 and changes that indirectly affect the provisions
4 applicable to this subchapter made by P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L.
5 104–7, excluding section 1 of P.L. 104–7, P.L. 104–188, excluding section 1311 of P.L.
6 104–188, P.L. 104–191, P.L. 104–193 and, P.L. 105–34, P.L. 105–206 and P.L.
7 105–277, apply for Wisconsin purposes at the same time as for federal purposes.

8 **SECTION 1673i.** 71.01 (6) (j) of the statutes is amended to read:

9 71.01 **(6)** (j) For taxable years that begin after December 31, 1994, and before
10 January 1, 1996, for natural persons and fiduciaries, except fiduciaries of nuclear
11 decommissioning trust or reserve funds, “~~internal revenue code~~ Internal Revenue
12 Code” means the federal ~~internal revenue code~~ Internal Revenue Code as amended
13 to December 31, 1994, excluding sections 103, 104 and 110 of P.L. 102–227 and
14 sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, and as
15 amended by P.L. 104–7, P.L. 104–117, P.L. 104–188, excluding sections 1202, 1204,
16 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193 and, P.L. 105–34, P.L.
17 105–206 and P.L. 105–277, and as indirectly affected by P.L. 99–514, P.L. 100–203,
18 P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–280,
19 P.L. 101–508, P.L. 102–90, P.L. 102–227, excluding sections 103, 104 and 110 of P.L.
20 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150
21 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L.
22 103–465, P.L. 104–7, P.L. 104–117, P.L. 104–188, excluding sections 1202, 1204, 1311
23 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193 and, P.L. 105–34, P.L. 105–206
24 and P.L. 105–277. The ~~internal revenue code~~ Internal Revenue Code applies for
25 Wisconsin purposes at the same time as for federal purposes. Amendments to the

1 federal ~~internal revenue code~~ Internal Revenue Code enacted after
2 December 31, 1994, do not apply to this paragraph with respect to taxable years
3 beginning after December 31, 1994, and before January 1, 1996, except that
4 changes to the ~~internal revenue code~~ Internal Revenue Code made by P.L. 104–7, P.L.
5 104–117, P.L. 104–188, excluding sections 1202, 1204, 1311 and 1605 of P.L. 104–188,
6 P.L. 104–191, P.L. 104–193 and, P.L. 105–34, P.L. 105–206 and P.L. 105–277 and
7 changes that indirectly affect the provisions applicable to this subchapter made by
8 P.L. 104–7, P.L. 104–117, P.L. 104–188, excluding sections 1202, 1204, 1311 and 1605
9 of P.L. 104–188, P.L. 104–191, P.L. 104–193 and, P.L. 105–34, P.L. 105–206 and P.L.
10 105–277, apply for Wisconsin purposes at the same time as for federal purposes.

11 **SECTION 1673j.** 71.01 (6) (k) of the statutes is amended to read:

12 71.01 **(6)** (k) For taxable years that begin after December 31, 1995, and before
13 January 1, 1997, for natural persons and fiduciaries, except fiduciaries of nuclear
14 decommissioning trust or reserve funds, “~~internal revenue code~~ Internal Revenue
15 Code” means the federal ~~internal revenue code~~ Internal Revenue Code as amended
16 to December 31, 1995, excluding sections 103, 104 and 110 of P.L. 102–227 and
17 sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, and as
18 amended by P.L. 104–117, P.L. 104–188, excluding sections 1123, 1202, 1204, 1311
19 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 and, P.L. 105–34,
20 P.L. 105–206 and P.L. 105–277, and as indirectly affected by P.L. 99–514, P.L.
21 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L.
22 101–280, P.L. 101–508, P.L. 102–90, P.L. 102–227, excluding sections 103, 104 and
23 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections
24 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L.
25 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–117, P.L. 104–188, excluding sections

1 1123, 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L.
2 105–33 and, P.L. 105–34, P.L. 105–206 and P.L. 105–277. The ~~internal revenue code~~
3 Internal Revenue Code applies for Wisconsin purposes at the same time as for federal
4 purposes. Amendments to the federal ~~internal revenue code~~ Internal Revenue Code
5 enacted after December 31, 1995, do not apply to this paragraph with respect to
6 taxable years beginning after December 31, 1995, and before January 1, 1997,
7 except that changes to the ~~internal revenue code~~ Internal Revenue Code made by P.L.
8 104–117, P.L. 104–188, excluding sections 1123, 1202, 1204, 1311 and 1605 of P.L.
9 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 and, P.L. 105–34, P.L. 105–206 and
10 P.L. 105–277 and changes that indirectly affect the provisions applicable to this
11 subchapter made by P.L. 104–117, P.L. 104–188, excluding sections 1123, 1202, 1204,
12 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 and, P.L.
13 105–34, P.L. 105–206 and P.L. 105–277, apply for Wisconsin purposes at the same
14 time as for federal purposes.

15 **SECTION 1673k.** 71.01 (6) (L) of the statutes is amended to read:

16 71.01 **(6)** (L) For taxable years that begin after December 31, 1996, and before
17 January 1, 1998, for natural persons and fiduciaries, except fiduciaries of nuclear
18 decommissioning trust or reserve funds, “~~internal revenue code~~ Internal Revenue
19 Code” means the federal ~~internal revenue code~~ Internal Revenue Code as amended
20 to December 31, 1996, excluding sections 103, 104 and 110 of P.L. 102–227, sections
21 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66 and sections 1123 (b),
22 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, and as amended by P.L. 105–33
23 and, P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected by P.L.
24 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L.
25 101–239, P.L. 101–280, P.L. 101–508, P.L. 102–90, P.L. 102–227, excluding sections

1 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding
2 sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L.
3 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–117, P.L. 104–188,
4 excluding sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, P.L.
5 104–191, P.L. 104–193, P.L. 105–33 and, P.L. 105–34, P.L. 105–206 and P.L. 105–277.
6 The ~~internal revenue code~~ Internal Revenue Code applies for Wisconsin purposes at
7 the same time as for federal purposes. Amendments to the federal ~~internal revenue~~
8 ~~code~~ Internal Revenue Code enacted after December 31, 1996, do not apply to this
9 paragraph with respect to taxable years beginning after December 31, 1996, and
10 before January 1, 1998, except that changes to the Internal Revenue Code made by
11 P.L. 105–33 and, P.L. 105–34, P.L. 105–206 and P.L. 105–277 and changes that
12 indirectly affect the provisions applicable to this subchapter made by P.L. 105–33
13 and, P.L. 105–34, P.L. 105–206 and P.L. 105–277 apply for Wisconsin purposes at the
14 same time as for federal purposes.

15 **SECTION 1673L.** 71.01 (6) (m) of the statutes is amended to read:

16 71.01 **(6)** (m) For taxable years that begin after December 31, 1997, and before
17 January 1, 1999, for natural persons and fiduciaries, except fiduciaries of nuclear
18 decommissioning trust or reserve funds, “Internal Revenue Code” means the federal
19 Internal Revenue Code as amended to December 31, 1997, excluding sections 103,
20 104 and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174 and 13203
21 (d) of P.L. 103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L.
22 104–188, and as amended by P.L. 105–178, P.L. 105–206 and P.L. 105–277, and as
23 indirectly affected by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L.
24 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–280, P.L. 101–508, P.L. 102–90, P.L.
25 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L.

1 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and
2 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L.
3 104–117, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605
4 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 and, P.L. 105–34, P.L.
5 105–178, P.L. 105–206 and P.L. 105–277. The Internal Revenue Code applies for
6 Wisconsin purposes at the same time as for federal purposes. Amendments to the
7 federal Internal Revenue Code enacted after December 31, 1997, do not apply to this
8 paragraph with respect to taxable years beginning after December 31, 1997, and
9 before January 1, 1999, except that changes to the Internal Revenue Code made by
10 P.L. 105–178, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the
11 provisions applicable to this subchapter made by P.L. 105–178, P.L. 105–206 and P.L.
12 105–277 apply for Wisconsin purposes at the same time as for federal purposes.

13 **SECTION 1673m.** 71.01 (6) (n) of the statutes is created to read:

14 71.01 (6) (n) For taxable years that begin after December 31, 1998, for natural
15 persons and fiduciaries, except fiduciaries of nuclear decommissioning trust or
16 reserve funds, “Internal Revenue Code” means the federal Internal Revenue Code
17 as amended to December 31, 1998, excluding sections 103, 104 and 110 of P.L.
18 102–227, sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66 and
19 sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, and as
20 indirectly affected by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L.
21 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–280, P.L. 101–508, P.L. 102–90, P.L.
22 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L.
23 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and
24 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L.
25 104–117, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605

1 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L.
2 105–178, P.L. 105–206 and P.L. 105–277. The Internal Revenue Code applies for
3 Wisconsin purposes at the same time as for federal purposes. Amendments to the
4 federal Internal Revenue Code enacted after December 31, 1998, do not apply to this
5 paragraph with respect to taxable years beginning after December 31, 1998.

6 **SECTION 1673n.** 71.01 (7r) of the statutes is amended to read:

7 71.01 (7r) Notwithstanding sub. (6), for purposes of computing amortization
8 or depreciation, “~~internal revenue code~~ Internal Revenue Code” means either the
9 federal ~~internal revenue code~~ Internal Revenue Code as amended to December 31,
10 ~~1997~~ 1998, or the federal ~~internal revenue code~~ Internal Revenue Code in effect for
11 the taxable year for which the return is filed, except that property that, under s. 71.02
12 (2) (d) 12., 1985 stats., is required to be depreciated for taxable year 1986 under the
13 ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1980,
14 shall continue to be depreciated under the ~~internal revenue code~~ Internal Revenue
15 Code as amended to December 31, 1980.

16 **SECTION 1674.** 71.01 (16) of the statutes is amended to read:

17 71.01 (16) “Wisconsin taxable income” of natural persons means Wisconsin
18 adjusted gross income less the Wisconsin standard deduction, less the personal
19 exemption described under s. 71.05 (23), with losses, depreciation, recapture of
20 benefits, offsets, depletion, deductions, penalties, expenses and other negative
21 income items determined according to the manner that income is or would be
22 allocated, except that the negative income items on individual or separate returns
23 for net rents and other net returns which are marital property attributable to the
24 investment, rental, licensing or other use of nonmarital property shall be allocated
25 to the owner of the property.

1 **SECTION 1674e.** 71.02 (1) of the statutes is amended to read:

2 71.02 (1) For the purpose of raising revenue for the state and the counties,
3 cities, villages and towns, there shall be assessed, levied, collected and paid a tax on
4 all net incomes of individuals and fiduciaries, except fiduciaries of nuclear
5 decommissioning trust or reserve funds subject to the tax under s. 71.23 (2), by every
6 natural person residing within the state or by his or her personal representative in
7 case of death, and trusts ~~administered~~ resident within the state; by every
8 nonresident natural person and trust of this state, upon such income as is derived
9 from property located or business transacted within the state including, but not
10 limited by enumeration, income derived from a limited partner's distributive share
11 of partnership income, income derived from a limited liability company member's
12 distributive share of limited liability company income, the state lottery under ch.
13 565, any multijurisdictional lottery under ch. 565 if the winning lottery ticket or
14 lottery share was purchased from a retailer, as defined in s. 565.01 (6), located in this
15 state or from the department, winnings from a casino or bingo hall that is located in
16 this state and that is operated by a Native American tribe or band and pari-mutuel
17 wager winnings or purses under ch. 562, and also by every nonresident natural
18 person upon such income as is derived from the performance of personal services
19 within the state, except as exempted under s. 71.05 (1) to (3). Every natural person
20 domiciled in the state shall be deemed to be residing within the state for the purposes
21 of determining liability for income taxes and surtaxes. A single-owner entity that
22 is disregarded as a separate entity under section 7701 of the Internal Revenue Code
23 is disregarded as a separate entity under this chapter, and its owner is subject to the
24 tax on the entity's income.

25 **SECTION 1674t.** 71.03 (2) (a) 1. of the statutes is amended to read:

1 71.03 (2) (a) 1. Every natural person domiciled in this state during the entire
2 taxable year having gross income of \$5,200 or more if under 65 years of age, or \$5,700
3 or more if 65 years of age or over, or \$7,040 or more if the natural person files as a
4 head of household, and every married person who files jointly and is domiciled in this
5 state during the entire taxable year having gross income during the year when the
6 joint gross income of the married person and his or her spouse is \$7,200 or more if
7 both are under 65 years of age; \$7,700 or more if one spouse is under 65 years of age
8 and the other spouse is 65 years of age or over; or \$8,200 or more if both are 65 years
9 of age or over; and every married person who files separately and is domiciled in this
10 state during the entire taxable year and has gross income of \$3,420 or more. The
11 department of revenue shall annually adjust the dollar amounts of the filing
12 requirements so as to reflect changes in the standard deduction, the rates under s.
13 71.06 or the exemption under s. 71.07 (8) (a) individual domiciled in this state during
14 the entire taxable year who has a gross income at or above a threshold amount which
15 shall be determined annually by the department of revenue. The threshold amounts
16 shall be determined for categories of individuals based on filing status and age, and
17 shall include categories for single individuals; individuals who file as a head of
18 household; married couples who file jointly; and married persons who file separately.
19 The department of revenue shall establish a threshold amount for each category of
20 individual at an amount at which no individual in that category whose gross income
21 is below that amount has a state income tax liability.

22 **SECTION 1674v.** 71.04 (1) (a) of the statutes is amended to read:

23 71.04 (1) (a) All income or loss of resident individuals and resident estates and
24 trusts shall follow the residence of the individual, estate or trust. Income or loss of
25 nonresident individuals and nonresident estates and trusts from business, not

1 requiring apportionment under sub. (4), (10) or (11), shall follow the situs of the
2 business from which derived, except that all income that is realized from the sale of
3 or purchase and subsequent sale or redemption of lottery prizes if the winning tickets
4 were originally bought in this state shall be allocated to this state. All items of
5 income, loss and deductions of nonresident individuals and nonresident estates and
6 trusts derived from a tax-option corporation not requiring apportionment under
7 sub. (9) shall follow the situs of the business of the corporation from which derived,
8 except that all income that is realized from the sale of or purchase and subsequent
9 sale or redemption of lottery prizes if the winning tickets were originally bought in
10 this state shall be allocated to this state. Income or loss of nonresident individuals
11 and nonresident estates and trusts derived from rentals and royalties from real
12 estate or tangible personal property, or from the operation of any farm, mine or
13 quarry, or from the sale of real property or tangible personal property shall follow the
14 situs of the property from which derived. Income from personal services of
15 nonresident individuals, including income from professions, shall follow the situs of
16 the services. A nonresident limited partner's distributive share of partnership
17 income shall follow the situs of the business, except that all income that is realized
18 from the sale of or purchase and subsequent sale or redemption of lottery prizes if
19 the winning tickets were originally bought in this state shall be allocated to this
20 state. A nonresident limited liability company member's distributive share of
21 limited liability company income shall follow the situs of the business, except that
22 all income that is realized from the sale of or purchase and subsequent sale or
23 redemption of lottery prizes if the winning tickets were originally bought in this state
24 shall be allocated to this state. Income of nonresident individuals, estates and trusts
25 from the state lottery under ch. 565 is taxable by this state. Income of nonresident

1 individuals, estates and trusts from any multijurisdictional lottery under ch. 565 is
2 taxable by this state, but only if the winning lottery ticket or lottery share was
3 purchased from a retailer, as defined in s. 565.01 (6), located in this state or from the
4 department. Income of nonresident individuals, nonresident trusts and nonresident
5 estates from pari-mutuel winnings or purses under ch. 562 is taxable by this state.
6 Income of nonresident individuals, estates and trusts from winnings from a casino
7 or bingo hall that is located in this state and that is operated by a Native American
8 tribe or band shall follow the situs of the casino or bingo hall. All other income or loss
9 of nonresident individuals and nonresident estates and trusts, including income or
10 loss derived from land contracts, mortgages, stocks, bonds and securities or from the
11 sale of similar intangible personal property, shall follow the residence of such
12 persons, except as provided in par. (b) and sub. (9), except that all income that is
13 realized from the sale of or purchase and subsequent sale or redemption of lottery
14 prizes if the winning tickets were originally bought in this state shall be allocated
15 to this state.

16 **SECTION 1682.** 71.04 (7) (dr) of the statutes is created to read:

17 71.04 (7) (dr) 1. For taxable years beginning after December 31, 1999, receipts
18 from a service are attributed to the state where the purchaser of the service received
19 the benefit of the service, except as provided in subd. 4. The benefit of a service is
20 received in this state if any of the following applies:

21 a. The service relates to real property that is located in this state.

22 b. The service relates to tangible personal property that is located in this state
23 at the time that the service is received.

24 c. The service is provided to a person who is located in this state.

25 d. The service is provided to a person doing business in this state.

1 e. The service is performed at a location in this state.

2 2. If the purchaser of a service receives the benefit of a service in more than one
3 state, the receipts from the performance of the service are included in the numerator
4 of the sales factor under par. (a) according to the portion of the service received in this
5 state. If the state where a purchaser received the benefit of a service cannot be
6 determined, the benefit of a service is received in the state where the purchaser, in
7 the regular course of the purchaser's business, ordered the service. If the state where
8 a purchaser ordered a service cannot be determined, the benefit of the service is
9 received in the state where the purchaser, in the regular course of the purchaser's
10 business, receives a bill for the service.

11 3. If the taxpayer is not subject to income tax in the state in which the benefit
12 of the service is received, the benefit of the service is received in this state to the
13 extent that the taxpayer's employes or representatives performed services from a
14 location in this state.

15 4. If the benefit of a service is received in this state, as provided under this
16 subsection, and the taxpayer submits evidence to the department that another state
17 that has jurisdiction to tax the service attributes the receipts from the service to that
18 state to determine the income that is taxable by that state, the taxpayer may elect,
19 by a method prescribed by the department, to attribute the receipts from the service
20 to this state in proportion to the direct cost of performing such service in this state
21 as compared to the total direct cost of performing the service in all states that have
22 jurisdiction to tax such service.

23 **SECTION 1682pd.** 71.04 (9) of the statutes is amended to read:

24 71.04 (9) NONRESIDENT INCOME FROM MULTISTATE TAX-OPTION CORPORATION.
25 Nonresident individuals and nonresident estates and trusts deriving income from a

1 tax–option corporation which is engaged in business within and without this state
2 shall be taxed only on the income of the corporation derived from business transacted
3 and property located in this state and losses and other items of the corporation
4 deductible by such shareholders shall be limited to their proportionate share of the
5 Wisconsin loss or other item, except that all income that is realized from the sale of
6 or purchase and subsequent sale or redemption of lottery prizes if the winning tickets
7 were originally bought in this state shall be allocated to this state. For purposes of
8 this subsection, all intangible income of tax–option corporations passed through to
9 shareholders is business income that follows the situs of the business, except that all
10 income that is realized from the sale of or purchase and subsequent sale or
11 redemption of lottery prizes if the winning tickets were originally bought in this state
12 shall be allocated to this state.

13 **SECTION 1683.** 71.05 (1) (c) 2. of the statutes is amended to read:

14 71.05 (1) (c) 2. The Wisconsin housing and economic development authority, if
15 the bonds are to fund a loan under s. 234.935, 1997 stats.

16 **SECTION 1684.** 71.05 (6) (a) 12. of the statutes is amended to read:

17 71.05 (6) (a) 12. ~~All alimony deducted for federal income tax purposes and paid~~
18 ~~while the individual paying the alimony was a nonresident of this state; all All~~
19 ~~penalties for early withdrawals from time savings accounts and deposits deducted~~
20 ~~for federal income tax purposes and paid while the individual charged with the~~
21 ~~penalty was a nonresident of this state; all repayments of supplemental~~
22 ~~unemployment benefit plan payments deducted for federal income tax purposes and~~
23 ~~made while the individual making the repayment was a nonresident of this state; all~~
24 ~~reforestation expenses related to property not in this state, deducted for federal~~
25 ~~income tax purposes and paid while the individual paying the expense was not a~~

1 resident of this state; all contributions to individual retirement accounts, simplified
2 employe pension plans and self–employment retirement plans and all deductible
3 employe contributions, deducted for federal income tax purposes and in excess of that
4 amount multiplied by a fraction the numerator of which is the individual’s wages and
5 net earnings from a trade or business taxable by this state and the denominator of
6 which is the individual’s total wages and net earnings from a trade or business; the
7 contributions to a Keogh plan deducted for federal income tax purposes and in excess
8 of that amount multiplied by a fraction the numerator of which is the individual’s net
9 earnings from a trade or business, taxable by this state, and the denominator of
10 which is the individual’s total net earnings from a trade or business; the amount of
11 health insurance costs of self–employed individuals deducted under section 162 (L)
12 of the internal revenue code for federal income tax purposes and in excess of that
13 amount multiplied by a fraction the numerator of which is the individual’s net
14 earnings from a trade or business, taxable by this state, and the denominator of
15 which is the individual’s total net earnings from a trade or business; and the amount
16 of self–employment taxes deducted under section 164 (f) of the internal revenue code
17 for federal income tax purposes and in excess of that amount multiplied by a fraction
18 the numerator of which is the individual’s net earnings from a trade or business,
19 taxable by this state, and the denominator of which is the individual’s total net
20 earnings from a trade or a business.

21 **SECTION 1684d.** 71.05 (6) (a) 15. of the statutes is amended to read:

22 71.05 **(6)** (a) 15. The amount of the credits computed under s. 71.07 (2dd), (2de),
23 (2di), (2dj), (2dL), (2dr), (2ds), (2dx), (2dy) and (3s) and not passed through by a
24 partnership, limited liability company or tax–option corporation that has added that

1 amount to the partnership's, company's or tax-option corporation's income under s.
2 71.21 (4) or 71.34 (1) (g).

3 **SECTION 1685c.** 71.05 (6) (b) 9. of the statutes is amended to read:

4 71.05 (6) (b) 9. On assets held more than one year and on all assets acquired
5 from a decedent, 60% of the capital gain as computed under the internal revenue
6 code, not including capital gains for which the federal tax treatment is determined
7 under section 406 of P.L. 99-514 ~~and~~; not including amounts treated as ordinary
8 income for federal income tax purposes because of the recapture of depreciation or
9 any other reason; and not including amounts treated as capital gain for federal
10 income tax purposes from the sale or exchange of a lottery prize. For purposes of this
11 subdivision, the capital gains and capital losses for all assets shall be netted before
12 application of the percentage.

13 **SECTION 1686.** 71.05 (6) (b) 23. of the statutes is amended to read:

14 71.05 (6) (b) 23. Any increase in value of a tuition unit that is purchased under
15 a tuition contract under s. ~~16.24~~ 14.63.

16 **SECTION 1686m.** 71.05 (6) (b) 28. (intro.) of the statutes is amended to read:

17 71.05 (6) (b) 28. (intro.) An amount paid by a claimant for tuition expenses for
18 a student who is the claimant or who is the claimant's child and the claimant's
19 dependent who is claimed under section 151 (c) of the Internal Revenue Code, to
20 attend any university, college, technical college or a school approved under s. ~~39.51~~
21 45.54, that is located in Wisconsin or to attend a public vocational school or public
22 institution of higher education in Minnesota under the Minnesota-Wisconsin
23 reciprocity agreement under s. 39.47, calculated as follows:

24 **SECTION 1687.** 71.05 (6) (b) 28. e. of the statutes is amended to read:

1 71.05 (6) (b) 28. e. For an individual who is a nonresident or part-year resident
2 of this state, multiply the amount calculated under subd. 28. a., b., c. or d. by a
3 fraction the numerator of which is the individual's wages, salary, tips, unearned
4 income and net earnings from a trade or business that are taxable by this state and
5 the denominator of which is the individual's total wages, salary, tips, unearned
6 income and net earnings from a trade or business. In this subd. 28. e., for married
7 persons filing separately "wages, salary, tips, unearned income and net earnings
8 from a trade or business" means the separate wages, salary, tips, unearned income
9 and net earnings from a trade or business of each spouse, and for married persons
10 filing jointly "wages, salary, tips, unearned income and net earnings from a trade or
11 business" means the total wages, salary, tips, unearned income and net earnings
12 from a trade or business of both spouses.

13 **SECTION 1688.** 71.05 (6) (b) 28. f. of the statutes is amended to read:

14 71.05 (6) (b) 28. f. Reduce the amount calculated under subd. 28. a., b., c., d. or
15 e. to the individual's aggregate wages, salary, tips, unearned income and net
16 earnings from a trade or business that are taxable by this state.

17 **SECTION 1688d.** 71.05 (6) (b) 29. of the statutes is created to read:

18 71.05 (6) (b) 29. The amount claimed as a federal miscellaneous itemized
19 deduction under the Internal Revenue Code for repayment of an amount included in
20 income in a previous year to the extent that the repayment was previously included
21 in Wisconsin adjusted gross income, except that no amount that is used in calculating
22 the credit under s. 71.07 (1) may be included in the calculation under this
23 subdivision.

24 **SECTION 1688f.** 71.05 (6) (b) 30. of the statutes is created to read:

1 71.05 (6) (b) 30. For taxable years beginning after December 31, 1998, any
2 settlement received for claims against any person for any recovered assets, or any
3 amount of assets or any gain generated on such assets, that were stolen from, hidden
4 from or otherwise lost by an individual who was persecuted by Nazi Germany or any
5 Axis regime during any period from 1933 to 1945 and have been recovered, returned
6 or otherwise paid to the original victim or his or her heirs or beneficiaries. The assets
7 to which this subdivision applies includes cash, bonds, stocks, deposits in a financial
8 institution, proceeds from a life or other type of insurance policy, jewelry, precious
9 metals, artwork or any other item of value owned by such a victim during any period
10 from 1920 to 1945.

11 **SECTION 1688h.** 71.05 (6) (b) 31. of the statutes is created to read:

12 71.05 (6) (b) 31. An amount paid by an employer to an employe for the purchase
13 of a public transportation pass, token or fare card, or the value of such a pass, token
14 or fare card provided by an employer to an employe, if the money provided for, or the
15 value of, the pass, token or fare card exceeds the amount that may be excluded from
16 federal gross income under section 132 (a) (5) of the Internal Revenue Code for a
17 transit pass under section 132 (f) (1) (B) of the Internal Revenue Code per month.

18 **SECTION 1689.** 71.05 (22) (dm) of the statutes is amended to read:

19 71.05 (22) (dm) *Deduction limits; 1994 and thereafter to 1999.* Except as
20 provided in par. (f), for taxable years beginning ~~on or after January 1, 1994~~ after
21 December 31, 1993, and before January 1, 2000, the Wisconsin standard deduction
22 is whichever of the following amounts is appropriate. For a single individual who has
23 a Wisconsin adjusted gross income of less than \$7,500, the standard deduction is
24 \$5,200. For a single individual who has a Wisconsin adjusted gross income of at least
25 \$7,500 ~~but not more than \$50,830~~, the standard deduction is the amount obtained

1 by subtracting from \$5,200 12% of Wisconsin adjusted gross income in excess of
2 \$7,500 but not less than \$0. ~~For a single individual who has a Wisconsin adjusted~~
3 ~~gross income of more than \$50,830, the standard deduction is \$0.~~ For a head of
4 household who has a Wisconsin adjusted gross income of less than \$7,500, the
5 standard deduction is \$7,040. For a head of household who has a Wisconsin adjusted
6 gross income of at least \$7,500 ~~but not more than \$25,000~~, the standard deduction
7 is the amount obtained by subtracting from \$7,040 22.515% of Wisconsin adjusted
8 gross income in excess of \$7,500 but not less than \$0, until the adjusted gross income
9 amount at which the standard deduction is equal to the standard deduction for a
10 single individual at the same adjusted gross income amount. For a head of household
11 who has a Wisconsin adjusted gross income of more than \$25,000 this amount, the
12 standard deduction shall be calculated as if the head of household were a single
13 individual. For a married couple filing jointly that has an aggregate Wisconsin
14 adjusted gross income of less than \$10,000, the standard deduction is \$8,900. For
15 a married couple filing jointly that has an aggregate Wisconsin adjusted gross
16 income of at least \$10,000 ~~but not more than \$55,000~~, the standard deduction is the
17 amount obtained by subtracting from \$8,900 19.778% of aggregate Wisconsin
18 adjusted gross income in excess of \$10,000 but not less than \$0. ~~For a married couple~~
19 ~~filing jointly that has an aggregate Wisconsin adjusted gross income of more than~~
20 ~~\$55,000, the standard deduction is \$0.~~ For a married individual filing separately
21 who has a Wisconsin adjusted gross income of less than \$4,750, the standard
22 deduction is \$4,230. For a married individual filing separately who has a Wisconsin
23 adjusted gross income of at least \$4,750 ~~but not more than \$26,140~~, the standard
24 deduction is the amount obtained by subtracting from \$4,230 19.778% of Wisconsin
25 adjusted gross income in excess of \$4,750 but not less than \$0. ~~For a married~~

1 individual filing separately who has a Wisconsin adjusted gross income of more than
2 \$26,140, the standard deduction is \$0. The secretary of revenue shall prepare a table
3 under which deductions under this paragraph shall be determined. That table shall
4 be published in the department's instructional booklets.

5 **SECTION 1690.** 71.05 (22) (dp) of the statutes is created to read:

6 71.05 (22) (dp) *Deduction limits, 2000 and thereafter.* Except as provided in
7 par. (f), for taxable years beginning after December 31, 1999, the Wisconsin
8 standard deduction is whichever of the following amounts is appropriate. For a
9 single individual who has a Wisconsin adjusted gross income of less than \$10,380,
10 the standard deduction is \$7,200. For a single individual who has a Wisconsin
11 adjusted gross income of at least \$10,380, the standard deduction is the amount
12 obtained by subtracting from \$7,200 12% of Wisconsin adjusted gross income in
13 excess of \$10,380 but not less than \$0. For a head of household who has a Wisconsin
14 adjusted gross income of less than \$10,380, the standard deduction is \$9,300. For
15 a head of household who has a Wisconsin adjusted gross income of at least \$10,380,
16 the standard deduction is the amount obtained by subtracting from \$9,300 22.515%
17 of Wisconsin adjusted gross income in excess of \$10,380, but not less than \$0, until
18 the adjusted gross income amount at which the standard deduction is equal to the
19 standard deduction for a single individual at the same adjusted gross income
20 amount. For a head of household who has a Wisconsin adjusted gross income of more
21 than this amount, the standard deduction shall be calculated as if the head of
22 household were a single individual. For a married couple filing jointly that has an
23 aggregate Wisconsin adjusted gross income of less than \$14,570, the standard
24 deduction is \$12,970. For a married couple filing jointly that has an aggregate
25 Wisconsin adjusted gross income of at least \$14,570, the standard deduction is the

1 amount obtained by subtracting from \$12,970 19.778% of aggregate Wisconsin
2 adjusted gross income in excess of \$14,570 but not less than \$0. For a married
3 individual filing separately who has a Wisconsin adjusted gross income of less than
4 \$6,920, the standard deduction is \$6,160. For a married individual filing separately
5 who has a Wisconsin adjusted gross income of at least \$6,920, the standard deduction
6 is the amount obtained by subtracting from \$6,160 19.778% of Wisconsin adjusted
7 gross income in excess of \$6,920 but not less than \$0. The secretary of revenue shall
8 prepare a table under which deductions under this paragraph shall be determined.
9 That table shall be published in the department's instructional booklets.

10 **SECTION 1691.** 71.05 (22) (ds) of the statutes is amended to read:

11 71.05 (22) (ds) *Standard deduction indexing.* For taxable years beginning after
12 December 31, 1998, and before January 1, 2000, the dollar amounts of the standard
13 deduction that is allowable under par. (dm) and all of the dollar amounts of Wisconsin
14 adjusted gross income under par. (dm) shall be increased each year by a percentage
15 equal to the percentage change between the U.S. consumer price index for all urban
16 consumers, U.S. city average, for the month of August of the previous year and the
17 U.S. consumer price index for all urban consumers, U.S. city average, for the month
18 of August of the year before the previous year, as determined by the federal
19 department of labor. Each amount that is revised under this paragraph shall be
20 rounded to the nearest multiple of \$10 if the revised amount is not a multiple of \$10
21 or, if the revised amount is a multiple of \$5, such an amount shall be increased to the
22 next higher multiple of \$10. The department of revenue shall annually adjust the
23 changes in dollar amounts required under this paragraph and incorporate the
24 changes into the income tax forms and instructions.

25 **SECTION 1691c.** 71.05 (22) (dt) of the statutes is created to read:

1 71.05 **(22)** (dt) *Standard deduction indexing, 2001 and thereafter.* For taxable
2 years beginning after December 31, 2000, the dollar amounts of the standard
3 deduction that is allowable under par. (dp) and all of the dollar amounts of Wisconsin
4 adjusted gross income under par. (dp) shall be increased each year by a percentage
5 equal to the percentage change between the U.S. consumer price index for all urban
6 consumers, U.S. city average, for the month of August of the previous year and the
7 U.S. consumer price index for all urban consumers, U.S. city average, for the month
8 of August 1999, as determined by the federal department of labor. Each amount that
9 is revised under this paragraph shall be rounded to the nearest multiple of \$10 if the
10 revised amount is not a multiple of \$10 or, if the revised amount is a multiple of \$5,
11 such an amount shall be increased to the next higher multiple of \$10. The
12 department of revenue shall annually adjust the changes in dollar amounts required
13 under this paragraph and incorporate the changes into the income tax forms and
14 instructions.

15 **SECTION 1692.** 71.05 (22) (f) 4. b. of the statutes is amended to read:

16 71.05 **(22)** (f) 4. b. The standard deduction that may be claimed by an individual
17 under par. (dm) or (dp), based on the individual's filing status.

18 **SECTION 1693.** 71.05 (23) of the statutes is created to read:

19 71.05 **(23)** PERSONAL EXEMPTIONS. In computing Wisconsin taxable income, an
20 individual taxpayer may subtract the following amounts:

21 (a) For taxable years that begin after December 31, 1999, and before
22 January 1, 2001:

23 1. A personal exemption of \$600 if the taxpayer is required to file a return under
24 s. 71.03 (2) (a) 1. or 2. and \$600 for the taxpayer's spouse, except if the spouse is filing
25 separately or as a head of household.

1 2. An exemption of \$600 for each individual for whom the taxpayer is entitled
2 to an exemption for the taxable year under section 151 (c) of the Internal Revenue
3 Code.

4 3. An additional exemption of \$200 if the taxpayer has reached the age of 65
5 before the close of the taxable year to which his or her tax return relates and \$200
6 for the taxpayer's spouse if he or she has reached the age of 65 before the close of the
7 taxable year to which his or her tax return relates, except if the spouse is filing
8 separately or as a head of household.

9 (b) For taxable years that begin after December 31, 2000:

10 1. A personal exemption of \$700 if the taxpayer is required to file a return under
11 s. 71.03 (2) (a) 1. or 2. and \$700 for the taxpayer's spouse, except if the spouse is filing
12 separately or as a head of household.

13 2. An exemption of \$700 for each individual for whom the taxpayer is entitled
14 to an exemption for the taxable year under section 151 (c) of the Internal Revenue
15 Code.

16 3. An additional exemption of \$250 if the taxpayer has reached the age of 65
17 before the close of the taxable year to which his or her tax return relates and \$250
18 for the taxpayer's spouse if he or she has reached the age of 65 before the close of the
19 taxable year to which his or her tax return relates, except if the spouse is filing
20 separately or as a head of household.

21 (c) With respect to persons who change their domicile into or from this state
22 during the taxable year and nonresident persons, personal exemptions under pars.
23 (a) and (b) shall be limited to the fraction of the amount so determined that Wisconsin
24 adjusted gross income is of federal adjusted gross income. In this paragraph, for
25 married persons filing separately "adjusted gross income" means the separate

1 adjusted gross income of each spouse and for married persons filing jointly “adjusted
2 gross income” means the total adjusted gross income of both spouses. If a person and
3 that person’s spouse are not both domiciled in this state during the entire taxable
4 year, their personal exemptions on a joint return are determined by multiplying the
5 personal exemption that would be available to each of them if they were both
6 domiciled in this state during the entire taxable year by a fraction the numerator of
7 which is their joint Wisconsin adjusted gross income and the denominator of which
8 is their joint federal adjusted gross income.

9 **SECTION 1694.** 71.06 (1m) (intro.) of the statutes is amended to read:

10 **71.06 (1m) FIDUCIARIES, SINGLE INDIVIDUALS AND HEADS OF HOUSEHOLDS; AFTER**
11 **1997 TO 1999.** (intro.) The tax to be assessed, levied and collected upon the taxable
12 incomes of all fiduciaries, except fiduciaries of nuclear decommissioning trust or
13 reserve funds, and single individuals and heads of households shall be computed at
14 the following rates for taxable years beginning after December 31, 1997, and before
15 January 1, 2000:

16 **SECTION 1695.** 71.06 (1n) of the statutes is created to read:

17 **71.06 (1n) FIDUCIARIES, SINGLE INDIVIDUALS AND HEADS OF HOUSEHOLDS; 2000.** The
18 tax to be assessed, levied and collected upon the taxable incomes of all fiduciaries,
19 except fiduciaries of nuclear decommissioning trust or reserve funds, and single
20 individuals and heads of households shall be computed at the following rates for
21 taxable years beginning after December 31, 1999, and before January 1, 2001:

22 (a) On all taxable income from \$0 to \$7,500, 4.73%.

23 (b) On all taxable income exceeding \$7,500 but not exceeding \$15,000, 6.33%.

24 (c) On all taxable income exceeding \$15,000 but not exceeding \$112,500, 6.55%.

25 (d) On all taxable income exceeding \$112,500, 6.75%.

1 **SECTION 1696.** 71.06 (1p) of the statutes is created to read:

2 **71.06 (1p)** FIDUCIARIES, SINGLE INDIVIDUALS AND HEADS OF HOUSEHOLDS; AFTER
3 2000. The tax to be assessed, levied and collected upon the taxable incomes of all
4 fiduciaries, except fiduciaries of nuclear decommissioning trust or reserve funds, and
5 single individuals and heads of households shall be computed at the following rates
6 for taxable years beginning after December 31, 2000:

7 (a) On all taxable income from \$0 to \$7,500, 4.6%.

8 (b) On all taxable income exceeding \$7,500 but not exceeding \$15,000, 6.15%.

9 (c) On all taxable income exceeding \$15,000 but not exceeding \$112,500, 6.5%.

10 (d) On all taxable income exceeding \$112,500, 6.75%.

11 **SECTION 1697.** 71.06 (2) (c) (intro.) of the statutes is amended to read:

12 **71.06 (2) (c)** (intro.) For joint returns, for taxable years beginning after
13 December 31, 1997, and before January 1, 2000:

14 **SECTION 1698.** 71.06 (2) (d) (intro.) of the statutes is amended to read:

15 **71.06 (2) (d)** (intro.) For married persons filing separately, for taxable years
16 beginning after December 31, 1997, and before January 1, 2000:

17 **SECTION 1699.** 71.06 (2) (e) of the statutes is created to read:

18 **71.06 (2) (e)** For joint returns, for taxable years beginning after
19 December 31, 1999, and before January 1, 2001:

20 1. On all taxable income from \$0 to \$10,000, 4.73%.

21 2. On all taxable income exceeding \$10,000 but not exceeding \$20,000, 6.33%.

22 3. On all taxable income exceeding \$20,000 but not exceeding \$150,000, 6.55%.

23 4. On all taxable income exceeding \$150,000, 6.75%.

24 **SECTION 1700.** 71.06 (2) (f) of the statutes is created to read:

1 71.06 (2) (f) For married persons filing separately, for taxable years beginning
2 after December 31, 1999, and before January 1, 2001:

3 1. On all taxable income from \$0 to \$5,000, 4.73%.

4 2. On all taxable income exceeding \$5,000 but not exceeding \$10,000, 6.33%.

5 3. On all taxable income exceeding \$10,000 but not exceeding \$75,000, 6.55%.

6 4. On all taxable income exceeding \$75,000, 6.75%.

7 **SECTION 1701.** 71.06 (2) (g) of the statutes is created to read:

8 71.06 (2) (g) For joint returns, for taxable years beginning after
9 December 31, 2000:

10 1. On all taxable income from \$0 to \$10,000, 4.6%.

11 2. On all taxable income exceeding \$10,000 but not exceeding \$20,000, 6.15%.

12 3. On all taxable income exceeding \$20,000 but not exceeding \$150,000, 6.5%.

13 4. On all taxable income exceeding \$150,000, 6.75%.

14 **SECTION 1702.** 71.06 (2) (h) of the statutes is created to read:

15 71.06 (2) (h) For married persons filing separately, for taxable years beginning
16 after December 31, 2000:

17 1. On all taxable income from \$0 to \$5,000, 4.6%.

18 2. On all taxable income exceeding \$5,000 but not exceeding \$10,000, 6.15%.

19 3. On all taxable income exceeding \$10,000 but not exceeding \$75,000, 6.5%.

20 4. On all taxable income exceeding \$75,000, 6.75%.

21 **SECTION 1703.** 71.06 (2e) of the statutes is amended to read:

22 71.06 (2e) BRACKET INDEXING. For taxable years beginning after
23 December 31, 1998, and before January 1, 2000, the maximum dollar amount in
24 each tax bracket, and the corresponding minimum dollar amount in the next bracket,
25 under subs. (1m) and (2) (c) and (d), and for taxable years beginning after

1 December 31, 1999, the maximum dollar amount in each tax bracket, and the
2 corresponding minimum dollar amount in the next bracket, under subs. (1n), (1p)
3 and (2) (e), (f), (g) and (h), shall be increased each year by a percentage equal to the
4 percentage change between the U.S. consumer price index for all urban consumers,
5 U.S. city average, for the month of August of the previous year and the U.S. consumer
6 price index for all urban consumers, U.S. city average, for the month of August of the
7 year before the previous year 1997, as determined by the federal department of labor,
8 except that for taxable years beginning after December 31, 2000, the dollar amount
9 in the top bracket under subs. (1p) (c) and (d), (2) (g) 3. and 4. and (h) 3. and 4. shall
10 be increased each year by a percentage equal to the percentage change between the
11 U.S. consumer price index for all urban consumers, U.S. city average, for the month
12 of August of the previous year and the U.S. consumer price index for all urban
13 consumers, U.S. city average, for the month of August 1999, as determined by the
14 federal department of labor. Each amount that is revised under this subsection shall
15 be rounded to the nearest multiple of \$10 if the revised amount is not a multiple of
16 \$10 or, if the revised amount is a multiple of \$5, such an amount shall be increased
17 to the next higher multiple of \$10. The department of revenue shall annually adjust
18 the changes in dollar amounts required under this subsection and incorporate the
19 changes into the income tax forms and instructions.

20 **SECTION 1704.** 71.06 (2m) of the statutes is amended to read:

21 71.06 **(2m)** RATE CHANGES. If a rate under sub. (1), (1m), (1n), (1p) or (2) changes
22 during a taxable year, the taxpayer shall compute the tax for that taxable year by the
23 methods applicable to the federal income tax under section 15 of the internal revenue
24 code.

25 **SECTION 1705.** 71.06 (2s) (b) of the statutes is amended to read:

1 71.06 (2s) (b) For taxable years beginning after December 31, 1997, and before
2 January 1, 2000. with respect to nonresident individuals, including individuals
3 changing their domicile into or from this state, the tax brackets under subs. (1m) and
4 (2) (c) and (d) shall be multiplied by a fraction, the numerator of which is Wisconsin
5 adjusted gross income and the denominator of which is federal adjusted gross
6 income. In this paragraph, for married persons filing separately “adjusted gross
7 income” means the separate adjusted gross income of each spouse, and for married
8 persons filing jointly “adjusted gross income” means the total adjusted gross income
9 of both spouses. If an individual and that individual’s spouse are not both domiciled
10 in this state during the entire taxable year, the tax brackets under subs. (1m) and
11 (2) (c) and (d) on a joint return shall be multiplied by a fraction, the numerator of
12 which is their joint Wisconsin adjusted gross income and the denominator of which
13 is their joint federal adjusted gross income.

14 **SECTION 1706.** 71.06 (2s) (c) of the statutes is created to read:

15 71.06 (2s) (c) For taxable years beginning after December 31, 1999, and before
16 January 1, 2001, with respect to nonresident individuals, including individuals
17 changing their domicile into or from this state, the tax brackets under subs. (1n) and
18 (2) (e) and (f) shall be multiplied by a fraction, the numerator of which is Wisconsin
19 adjusted gross income and the denominator of which is federal adjusted gross
20 income. In this paragraph, for married persons filing separately “adjusted gross
21 income” means the separate adjusted gross income of each spouse, and for married
22 persons filing jointly “adjusted gross income” means the total adjusted gross income
23 of both spouses. If an individual and that individual’s spouse are not both domiciled
24 in this state during the entire taxable year, the tax brackets under subs. (1n) and (2)
25 (e) and (f) on a joint return shall be multiplied by a fraction, the numerator of which

1 is their joint Wisconsin adjusted gross income and the denominator of which is their
2 joint federal adjusted gross income.

3 **SECTION 1707.** 71.06 (2s) (d) of the statutes is created to read:

4 71.06 **(2s)** (d) For taxable years beginning after December 31, 2000, with
5 respect to nonresident individuals, including individuals changing their domicile
6 into or from this state, the tax brackets under subs. (1p) and (2) (g) and (h) shall be
7 multiplied by a fraction, the numerator of which is Wisconsin adjusted gross income
8 and the denominator of which is federal adjusted gross income. In this paragraph,
9 for married persons filing separately “adjusted gross income” means the separate
10 adjusted gross income of each spouse, and for married persons filing jointly “adjusted
11 gross income” means the total adjusted gross income of both spouses. If an individual
12 and that individual’s spouse are not both domiciled in this state during the entire
13 taxable year, the tax brackets under subs. (1p) and (2) (g) and (h) on a joint return
14 shall be multiplied by a fraction, the numerator of which is their joint Wisconsin
15 adjusted gross income and the denominator of which is their joint federal adjusted
16 gross income.

17 **SECTION 1707g.** 71.07 (2di) (a) (intro.) of the statutes is amended to read:

18 71.07 **(2di)** (a) (intro.) Except as provided in pars. (dm) and (f) and s. 73.03 (35),
19 for any taxable year for which the person is ~~certified under s. 560.765 (3) for entitled~~
20 under s. 560.795 (3) to claim tax benefits, any person may claim as a credit against
21 taxes otherwise due under this chapter 2.5% of the purchase price of depreciable,
22 tangible personal property, or 1.75% of the purchase price of depreciable, tangible
23 personal property that is expensed under section 179 of the internal revenue code for
24 purposes of the taxes under this chapter, except that:

25 **SECTION 1707h.** 71.07 (2di) (a) 1. of the statutes is amended to read:

1 71.07 **(2di)** (a) 1. The investment must be in property that is purchased after
2 the person is certified ~~under s. 560.765 (3) for~~ entitled under s. 560.795 (3) to claim
3 tax benefits and that is used for at least 50% of its use in the conduct of the person's
4 business operations ~~for which the claimant is certified under s. 560.765 (3) at a~~
5 location in a development zone under subch. VI of ch. 560 or, if the property is mobile,
6 the base of operations of the property for at least 50% of its use must be a location
7 in a development zone.

8 **SECTION 1707j.** 71.07 (2di) (d) 1. of the statutes is amended to read:

9 71.07 **(2di)** (d) 1. A copy of the ~~claimant's certification for a verification from~~
10 the department of commerce that the claimant may claim tax benefits under s.
11 ~~560.765 (3)~~ 560.795 (3).

12 **SECTION 1707k.** 71.07 (2di) (f) of the statutes is amended to read:

13 71.07 **(2di)** (f) If ~~the certification of a person for~~ who is entitled under s. 560.795
14 (3) to claim tax benefits ~~under s. 560.765 (3) is revoked~~ becomes ineligible for such
15 tax benefits, that person may claim no credits under this subsection for the taxable
16 year that includes the day on which the ~~certification is revoked~~ person becomes
17 ineligible for tax benefits or succeeding taxable years and that person may carry over
18 no unused credits from previous years to offset tax under this chapter for the taxable
19 year that includes the day on which ~~certification is revoked~~ the person becomes
20 ineligible for tax benefits or succeeding taxable years.

21 **SECTION 1707L.** 71.07 (2di) (g) of the statutes is amended to read:

22 71.07 **(2di)** (g) If a person who is ~~certified under s. 560.765 (3) for~~ entitled under
23 s. 560.795 (3) to claim tax benefits ceases business operations in the development
24 zone during any of the taxable years that that zone exists, that person may not carry
25 over to any taxable year following the year during which operations cease any

1 unused credits from the taxable year during which operations cease or from previous
2 taxable years.

3 **SECTION 1707m.** 71.07 (2di) (i) of the statutes is amended to read:

4 71.07 **(2di)** (i) No credit may be claimed under this subsection for taxable years
5 that begin ~~on January 1, 1998, or thereafter~~ after December 31, 1997, and end
6 before January 1, 2000. Credits under this subsection for taxable years that begin
7 before January 1, 1998, may be carried forward to taxable years that begin on
8 January 1, 1998, or thereafter.

9 **SECTION 1707t.** 71.07 (2dj) (am) 1. of the statutes is amended to read:

10 71.07 **(2dj)** (am) 1. Modify “member of a targeted group”, as defined in section
11 51 (d) of the internal revenue code as amended to December 31, 1995, to include
12 persons unemployed as a result of a business action subject to s. 109.07 (1m) and
13 ~~persons specified under 29 USC 1651 (a)~~ dislocated workers, as defined in 29 USC
14 2801 (9), and to require a member of a targeted group to be a resident of this state.

15 **SECTION 1707v.** 71.07 (2dj) (am) 2. of the statutes is amended to read:

16 71.07 **(2dj)** (am) 2. Modify “designated local agency”, as defined in section 51
17 (d) (15) of the internal revenue code, to include the ~~job training partnership act~~
18 ~~organization~~ local workforce development board established under 29 USC 2832 for
19 the area that includes the development zone in which the employe in respect to whom
20 the credit under this subsection is claimed works, if the department of commerce
21 approves the criteria used for certification, and the department of commerce.

22 **SECTION 1708.** 71.07 (2dj) (am) 3. of the statutes is amended to read:

23 71.07 **(2dj)** (am) 3. Modify the rule for certification under section 51 (d) (16) (A)
24 of the internal revenue code to allow certification within the ~~90-day~~ period beginning
25 with the first day of employment of the employe ~~by the claimant~~.

1 **SECTION 1708g.** 71.07 (2dx) (b) (intro.) of the statutes is amended to read:

2 71.07 **(2dx)** (b) *Credit.* (intro.) Except as provided in s. 73.03 (35) and subject
3 to s. 560.785, for any taxable year for which the person is entitled under s. 560.795
4 (3) to claim tax benefits or certified under s. 560.765 (3) or 560.797 (4), any person
5 may claim as a credit against taxes imposed on the person's income from the person's
6 business activities in a development zone the following amounts:

7 **SECTION 1709.** 71.07 (2dx) (b) 4. of the statutes is amended to read:

8 71.07 **(2dx)** (b) 4. The amount determined by multiplying the amount
9 determined under s. 560.785 (1) ~~(b)~~ (bm) by the number of full-time jobs retained,
10 as provided in the rules under s. 560.785, excluding jobs for which a credit has been
11 claimed under sub. (2dj), in a an enterprise development zone under s. 560.797 and
12 filled by a member of a targeted group for which significant capital investment was
13 made and by then subtracting the subsidies paid under s. 49.147 (3) (a) for those jobs.

14 **SECTION 1709b.** 71.07 (2dx) (c) of the statutes is amended to read:

15 71.07 **(2dx)** (c) *Credit precluded.* If the certification of a person for tax benefits
16 under s. 560.765 (3) or 560.797 (4) is revoked, or if the person becomes ineligible for
17 tax benefits under s. 560.795 (3), that person may not claim credits under this
18 subsection for the taxable year that includes the day on which the certification is
19 revoked; the taxable year that includes the day on which the person becomes
20 ineligible for tax benefits; or succeeding taxable years and that person may not carry
21 over unused credits from previous years to offset tax under this chapter for the
22 taxable year that includes the day on which certification is revoked; the taxable year
23 that includes the day on which the person becomes ineligible for tax benefits; or
24 succeeding taxable years.

25 **SECTION 1709bb.** 71.07 (2dx) (d) of the statutes is amended to read:

1 71.07 **(2dx)** (d) *Carry-over precluded.* If a person who is entitled under s.
2 560.795 (3) to claim tax benefits or certified under s. 560.765 (3) or 560.797 (4) for tax
3 benefits ceases business operations in the development zone during any of the
4 taxable years that that zone exists, that person may not carry over to any taxable
5 year following the year during which operations cease any unused credits from the
6 taxable year during which operations cease or from previous taxable years.

7 **SECTION 1709c.** 71.07 (2dy) of the statutes is created to read:

8 71.07 **(2dy)** SUSTAINABLE URBAN DEVELOPMENT ZONE CREDIT. (a) *Definitions.* In
9 this subsection:

10 1. “Brownfield” has the meaning given in sub. (2dx) (a) 1.

11 2. “Environmental remediation” means removal or containment of
12 environmental pollution, as defined in s. 299.01 (4), and restoration of soil or
13 groundwater that is affected by environmental pollution, as defined in s. 299.01 (4),
14 in a brownfield and investigation unless the investigation determines that
15 remediation is required but remediation is not undertaken.

16 (b) *Credit.* For any taxable year for which the person is certified under s. 292.77
17 (5), a person may claim as a credit against taxes imposed under this subchapter 50%
18 of the amount expended for environmental remediation under the program under s.
19 292.77.

20 (c) *Administration.* Subsection (2dx) (c), (d) and (e), as it applies to the credit
21 under sub. (2dx), applies to the credit under this subsection.

22 **SECTION 1710db.** 71.07 (3m) (b) 1. a. of the statutes is amended to read:

23 71.07 **(3m)** (b) 1. a. Subject to the limitations provided in this subsection and
24 s. 71.80 (3) and (3m), a claimant may claim as a credit against Wisconsin income
25 taxes otherwise due, the amount derived under par. (c). If the allowable amount of

1 claim exceeds the income taxes otherwise due on the claimant's income or if there are
2 no Wisconsin income taxes due on the claimant's income, the amount of the claim not
3 used as an offset against income taxes shall be certified to the department of
4 administration for payment to the claimant by check, share draft or other draft paid
5 from the ~~appropriation~~ appropriations under s. 20.835 (2) ~~(q)~~ (dn) and (ka).

6 **SECTION 1710dc.** 71.07 (3m) (b) 1. a. of the statutes, as affected by 1999
7 Wisconsin Act (this act), is repealed and recreated to read:

8 71.07 **(3m)** (b) 1. a. Subject to the limitations provided in this subsection and
9 s. 71.80 (3) and (3m), a claimant may claim as a credit against Wisconsin income
10 taxes otherwise due, the amount derived under par. (c). If the allowable amount of
11 claim exceeds the income taxes otherwise due on the claimant's income or if there are
12 no Wisconsin income taxes due on the claimant's income, the amount of the claim not
13 used as an offset against income taxes shall be certified to the department of
14 administration for payment to the claimant by check, share draft or other draft paid
15 from the appropriations under s. 20.835 (2) (ka) and (q).

16 **SECTION 1710dd.** 71.07 (3m) (c) 3. of the statutes, as created by 1999 Wisconsin
17 Act 5, is amended to read:

18 71.07 **(3m)** (c) 3. The department shall annually adjust the percentage that is
19 used to determine the amount of a claim under subd. 1. based on the estimated
20 number of claims and the amount estimated to be expended from the appropriation
21 under s. 20.835 (2) ~~(q)~~ (dn), as determined under s. 79.13. The department shall
22 incorporate the annually adjusted percentage into the income tax forms and
23 instructions.

24 **SECTION 1710de.** 71.07 (3m) (c) 3. of the statutes, as affected by 1999 Wisconsin
25 Act (this act), is repealed and recreated to read:

1 71.07 **(3m)** (c) 3. The department shall annually adjust the percentage that is
2 used to determine the amount of a claim under subd. 1. based on the estimated
3 number of claims and the amount estimated to be expended from the appropriation
4 under s. 20.835 (2) (q), as determined under s. 79.13. The department shall
5 incorporate the annually adjusted percentage into the income tax forms and
6 instructions.

7 **SECTION 1711.** 71.07 (5) (a) 7. of the statutes is created to read:

8 71.07 **(5)** (a) 7. Miscellaneous itemized deductions under the Internal Revenue
9 Code, without regard to whether such deductions are subject to the 2% floor as
10 described in section 67 of the Internal Revenue Code, except that the general
11 prohibition in this subdivision does not apply to dues paid to a professional society
12 or a labor union, to travel expenses or to home office expenses.

13 **SECTION 1712.** 71.07 (5) (a) 8. of the statutes is created to read:

14 71.07 **(5)** (a) 8. Any employment-related educational expense that is claimed
15 as an itemized deduction under the Internal Revenue Code to the extent that such
16 an amount is also claimed as a subtract modification under s. 71.05 (6) (b) 28.

17 **SECTION 1714.** 71.07 (6) (am) 2. c. of the statutes is amended to read:

18 71.07 **(6)** (am) 2. c. For taxable years beginning after December 31, 1999, and
19 before January 1, 2001, 2.75% of the earned income of the spouse with the lower
20 earned income, but not more than ~~\$385~~ \$440.

21 **SECTION 1715.** 71.07 (6) (am) 2. d. of the statutes is amended to read:

22 71.07 **(6)** (am) 2. d. For taxable years beginning after December 31, 2000, 3%
23 of the earned income of the spouse with the lower earned income, but not more than
24 ~~\$420~~ \$480.

25 **SECTION 1715m.** 71.07 (6m) of the statutes is created to read:

1 71.07 **(6m)** ARMED FORCES MEMBER TAX CREDIT. (a) *Definitions.* In this
2 subsection:

3 1. “Claimant” means an active duty member of the U.S. armed forces, as
4 defined in 26 USC 7701 (a) (15).

5 2. “Military income” means an amount of basic, special or incentive pay income,
6 as those terms are used in 37 USC chapters 3 and 5, received by a claimant from the
7 federal government.

8 (b) *Filing claims.* Subject to the limitations and conditions provided in this
9 subsection, a claimant may claim as a credit against the tax imposed under s. 71.02,
10 up to the amount of those taxes, an amount up to \$200 of military income for services
11 performed by the claimant while he or she is stationed outside of the United States.

12 (c) *Limitations and conditions.* 1. No credit may be allowed under this
13 subsection unless it is claimed within the time period under s. 71.75 (2).

14 2. Part-year residents and nonresidents of this state are not eligible for the
15 credit under this subsection.

16 3. If both spouses of a married couple meet the definition of claimant under par.
17 (a) 1., each spouse may claim the credit under this subsection.

18 (d) *Administration.* Subsection (9e) (d), to the extent that it applies to the credit
19 under that subsection, applies to the credit under this subsection.

20 **SECTION 1716.** 71.07 (8) (d) of the statutes is created to read:

21 71.07 **(8)** (d) No new claim may be filed under this subsection for a taxable year
22 that begins after December 31, 1999.

23 **SECTION 1716m.** 71.07 (9) (b) 1. of the statutes is amended to read:

24 71.07 **(9)** (b) 1. Subject to the limitations under this subsection and except as
25 provided in ~~subd. subds. 2. and 3.~~, a claimant may claim as a credit against, but not

1 to exceed the amount of, taxes under s. 71.02, 10% of the first \$2,000 of property taxes
2 or rent constituting property taxes, or 10% of the first \$1,000 of property taxes or rent
3 constituting property taxes of a married person filing separately.

4 **SECTION 1716p.** 71.07 (9) (b) 3. of the statutes is created to read:

5 71.07 **(9)** (b) 3. For taxable years beginning after December 31, 1999, and
6 before January 1, 2001, subject to the limitations under this subsection, a claimant
7 may claim as a credit against, but not to exceed the amount of, taxes under s. 71.02,
8 6.4% of the first \$2,000 of property taxes or rent constituting property taxes, or 6.4%
9 of the first \$1,000 of property taxes or rent constituting property taxes of a married
10 person filing separately.

11 **SECTION 1717.** 71.07 (9) (g) of the statutes is created to read:

12 71.07 **(9)** (g) No new claim may be filed under this subsection for a taxable year
13 that begins after December 31, 2000.

14 **SECTION 1719b.** 71.07 (9e) (f) of the statutes is amended to read:

15 71.07 **(9e)** (f) Except as provided in s. 71.80 (3) and (3m), if the allowable
16 amount of the claim under this subsection exceeds the taxes otherwise due under this
17 chapter or no taxes are due under this chapter, the amount of the claim not used to
18 offset taxes due shall be certified by the department of revenue to the department
19 of administration for payment by check, share draft or other draft drawn from the
20 appropriation under s. 20.835 (2) (f) or (kf).

21 **SECTION 1719g.** 71.08 (1) (intro.) of the statutes is amended to read:

22 71.08 **(1)** IMPOSITION. (intro.) If the tax imposed on a natural person, married
23 couple filing jointly, trust or estate under s. 71.02, not considering the credits under
24 ss. 71.07 (1), (2dd), (2de), (2di), (2dj), (2dL), (2dr), (2ds), (2dx), (2dy), (2fd), (3m), (3s),
25 (6), (6m) and (9e), 71.28 (1dd), (1de), (1di), (1dj), (1dL), (1ds), (1dx), (1dy), (1fd), (2m)

1 and (3) and 71.47 (1dd), (1de), (1di), (1dj), (1dL), (1ds), (1dx), (1dy), (1fd), (2m) and
2 (3) and subchs. VIII and IX and payments to other states under s. 71.07 (7), is less
3 than the tax under this section, there is imposed on that natural person, married
4 couple filing jointly, trust or estate, instead of the tax under s. 71.02, an alternative
5 minimum tax computed as follows:

6 **SECTION 1719j.** 71.10 (4) (cm) of the statutes is created to read:

7 71.10 (4) (cm) The armed forces member tax credit under s. 71.07 (6m).

8 **SECTION 1719m.** 71.10 (4) (gv) of the statutes is created to read:

9 71.10 (4) (gv) Sustainable urban development zone credit under s. 71.07 (2dy).

10 **SECTION 1720m.** 71.10 (5) (am) of the statutes is created to read:

11 71.10 (5) (am) *Gray wolf as endangered or threatened species.* For purposes of
12 the part of the endangered resources program that provides for wildlife damage
13 control and the payments of claims for damage associated with endangered or
14 threatened species, the gray wolf shall be considered an endangered or threatened
15 species regardless of whether it is listed as endangered or threatened under s. 29.604
16 (3).

17 **SECTION 1721.** 71.125 of the statutes is amended to read:

18 **71.125 Imposition of tax. (1)** Except as provided in sub. (2), the tax imposed
19 by this chapter on individuals and the rates under s. 71.06 (1), (1m), (1n), (1p) and
20 (2) shall apply to the Wisconsin taxable income of estates or trusts, except nuclear
21 decommissioning trust or reserve funds, and that tax shall be paid by the fiduciary.

22 **(2)** Each electing small business trust, as defined in section 1361 (e) (1) of the
23 Internal Revenue Code, is subject to tax at the highest rate under s. 71.06 (1) ~~or under~~
24 ~~s. 71.06~~, (1m), (1n) or (1p), whichever taxable year is applicable, on its income as

1 computed under section 641 of the Internal Revenue Code, as modified by s. 71.05
2 (6) to (12), (19) and (20).

3 **SECTION 1721es.** 71.14 (3) (intro.) of the statutes is amended to read:

4 71.14 **(3)** (intro.) Except as provided in sub. (2) and s. 71.04 (1) (b) 2., trusts
5 created by contract, declaration of trust or implication of law that are made
6 irrevocable before the effective date of this subsection [revisor inserts date], shall
7 be considered resident at the place where the trust is being administered. The
8 following trusts shall be considered to be administered in the state of domicile of the
9 corporate trustee of the trust at any time that the grantor of the trust is not a resident
10 of this state:

11 **SECTION 1721it.** 71.14 (3m) of the statutes is created to read:

12 71.14 **(3m)** (a) Subject to par. (b) and except as provided in sub. (2) and s. 71.04
13 (1) (b) 2., only the following trusts, or portions of trusts, which become irrevocable
14 on or after the effective date of this paragraph [revisor inserts date], are resident
15 of this state:

16 1. Trusts, or portions of trusts, the assets of which consist of property placed
17 in the trust by a person who is a resident of this state at the time that the property
18 was placed in the trust if, at the time that the assets were placed in the trust, the trust
19 was irrevocable.

20 2. Trusts, or portions of trusts, the assets of which consist of property placed
21 in the trust by a person who is a resident of this state at the time that the trust
22 became irrevocable if, at the time that the property was placed in the trust, the trust
23 was revocable.

24 (b) A trust described under par. (a):

1 1. Is revocable if the person whose property constitutes the trust may revest
2 title to the property in that person.

3 2. Is irrevocable if the power to revest title, as described in par. (a), does not
4 exist.

5 **SECTION 1722.** 71.17 (6) of the statutes is amended to read:

6 71.17 **(6)** FUNERAL TRUSTS. If a qualified funeral trust makes the election under
7 section 685 of the Internal Revenue Code for federal income tax purposes, that
8 election applies for purposes of this chapter and each trust shall compute its own tax
9 and shall apply the rates under s. 71.06 (1) and ~~(1m), (1n) or (1p)~~.

10 **SECTION 1722bd.** 71.21 (4) of the statutes is amended to read:

11 71.21 **(4)** Credits computed by a partnership under s. 71.07 (2dd), (2de), (2di),
12 (2dj), (2dL), (2ds), (2dx), (2dy) and (3s) and passed through to partners shall be added
13 to the partnership's income.

14 **SECTION 1722cd.** 71.22 (1r) of the statutes is created to read:

15 71.22 **(1r)** "Doing business" includes owning a direct or indirect interest in a
16 general or limited partnership or limited liability company that transacts in this
17 state for pecuniary gain, if the income from the partnership or company is unitary
18 or operational income of the taxpayer or a direct or indirect affiliate of the taxpayer
19 or if such income has a taxable presence in this state. "Doing business" also includes
20 issuing credit, debit or travel and entertainment cards to customers in this state.

21 **SECTION 1722d.** 71.22 (4) (e) of the statutes is repealed.

22 **SECTION 1722e.** 71.22 (4) (f) of the statutes is amended to read:

23 71.22 **(4)** (f) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34
24 (1g) and 71.42 (2), "~~internal revenue code~~ Internal Revenue Code", for taxable years
25 that begin after December 31, 1990, and before January 1, 1992, means the federal

1 ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1990,
2 and as amended by P.L. 102-227, P.L. 102-486, P.L. 103-66, P.L. 104-188, excluding
3 section 1311 of P.L. 104-188, ~~and P.L. 105-34, P.L. 105-206 and P.L. 105-277,~~ and
4 as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514,
5 P.L. 100-203, P.L. 100-647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2),
6 821 (b) (2) and 823 (c) (2) of P.L. 99-514 and section 1008 (g) (5) of P.L. 100-647, P.L.
7 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, P.L.
8 102-486, P.L. 103-66, P.L. 104-188, excluding section 1311 of P.L. 104-188, ~~and P.L.~~
9 ~~105-34, P.L. 105-206 and P.L. 105-277.~~ The ~~internal revenue code~~ Internal Revenue
10 Code applies for Wisconsin purposes at the same time as for federal purposes.
11 Amendments to the federal ~~internal revenue code~~ Internal Revenue Code enacted
12 after December 31, 1990, do not apply to this paragraph with respect to taxable years
13 beginning after December 31, 1990, and before January 1, 1992, except that
14 changes to the ~~internal revenue code~~ Internal Revenue Code made by P.L. 102-227,
15 P.L. 102-486, P.L. 103-66, P.L. 104-188, excluding section 1311 of P.L. 104-188, and
16 P.L. 105-34, P.L. 105-206 and P.L. 105-277 and changes that indirectly affect the
17 provisions applicable to this subchapter made by P.L. 102-227, P.L. 102-486, P.L.
18 103-66, P.L. 104-188, excluding section 1311 of P.L. 104-188, ~~and P.L. 105-34, P.L.~~
19 ~~105-206 and P.L. 105-277,~~ apply for Wisconsin purposes at the same time as for
20 federal purposes.

21 **SECTION 1722f.** 71.22 (4) (g) of the statutes is amended to read:

22 71.22 (4) (g) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34
23 (1g) and 71.42 (2), “~~internal revenue code~~ Internal Revenue Code”, for taxable years
24 that begin after December 31, 1991, and before January 1, 1993, means the federal
25 ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1991,

1 excluding sections 103, 104 and 110 of P.L. 102–227, and as amended by P.L.
2 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13101 (a) and (c) 1, 13171 and
3 13174 of P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, and P.L.
4 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected in the provisions
5 applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647 excluding
6 sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2) and 823 (c) (2) of P.L. 99–514
7 and section 1008 (g) (5) of P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L.
8 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L.
9 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13101 (a) and
10 (c) 1, 13171 and 13174 of P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L.
11 104–188, and P.L. 105–34, P.L. 105–206 and P.L. 105–277. The ~~internal revenue code~~
12 Internal Revenue Code applies for Wisconsin purposes at the same time as for federal
13 purposes. Amendments to the federal ~~internal revenue code~~ Internal Revenue Code
14 enacted after December 31, 1991, do not apply to this paragraph with respect to
15 taxable years beginning after December 31, 1991, and before January 1, 1993,
16 except that changes to the ~~internal revenue code~~ Internal Revenue Code made by P.L.
17 102–318, P.L. 102–486, P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L.
18 104–188, and P.L. 105–34, P.L. 105–206 and P.L. 105–277 and changes that
19 indirectly affect the provisions applicable to this subchapter made by P.L. 102–318,
20 P.L. 102–486, P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, and
21 P.L. 105–34, P.L. 105–206 and P.L. 105–277, apply for Wisconsin purposes at the
22 same time as for federal purposes.

23 **SECTION 1722g.** 71.22 (4) (h) of the statutes is amended to read:

24 71.22 (4) (h) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34
25 (1g) and 71.42 (2), “~~internal revenue code~~ Internal Revenue Code”, for taxable years

1 that begin after December 31, 1992, and before January 1, 1994, means the federal
2 ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1992,
3 excluding sections 103, 104 and 110 of P.L. 102–227, and as amended by P.L. 103–66,
4 excluding sections 13101 (a) and (c) 1, 13113, 13150, 13171, 13174 and 13203 of P.L.
5 103–66, P.L. 103–465, P.L. 104–188, excluding section 1311 of P.L. 104–188, and P.L.
6 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected in the provisions
7 applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647 excluding
8 sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2) and 823 (c) (2) of P.L. 99–514
9 and section 1008 (g) (5) of P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L.
10 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L.
11 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13101 (a) and
12 (c) 1, 13113, 13150, 13171, 13174 and 13203 of P.L. 103–66, P.L. 103–465, P.L.
13 104–188, excluding section 1311 of P.L. 104–188, and P.L. 105–34, P.L. 105–206 and
14 P.L. 105–277. The ~~internal revenue code~~ Internal Revenue Code applies for
15 Wisconsin purposes at the same time as for federal purposes. Amendments to the
16 federal ~~internal revenue code~~ Internal Revenue Code enacted after
17 December 31, 1992, do not apply to this paragraph with respect to taxable years
18 beginning after December 31, 1992, and before January 1, 1994, except that
19 changes to the ~~internal revenue code~~ Internal Revenue Code made by P.L. 103–66,
20 P.L. 103–465, P.L. 104–188, excluding section 1311 of P.L. 104–188, and P.L. 105–34,
21 P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the provisions
22 applicable to this subchapter made by P.L. 103–66, P.L. 103–465, P.L. 104–188,
23 excluding section 1311 of P.L. 104–188, and P.L. 105–34, P.L. 105–206 and P.L.
24 105–277, apply for Wisconsin purposes at the same time as for federal purposes.

25 **SECTION 1722h.** 71.22 (4) (i) of the statutes is amended to read:

1 71.22 (4) (i) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34
2 (1g) and 71.42 (2), “~~internal revenue code~~ Internal Revenue Code”, for taxable years
3 that begin after December 31, 1993, and before January 1, 1995, means the federal
4 ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1993,
5 excluding sections 103, 104 and 110 of P.L. 102–227 and sections 13113, 13150 (d),
6 13171 (d), 13174, 13203 (d) and 13215 of P.L. 103–66, and as amended by P.L.
7 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, excluding section 1 of P.L. 104–7,
8 P.L. 104–188, excluding section 1311 of P.L. 104–188, P.L. 104–191, P.L. 104–193 and,
9 P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected in the
10 provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647
11 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2) and 823 (c) (2) of
12 P.L. 99–514 and section 1008 (g) (5) of P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L.
13 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and
14 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections
15 13113, 13150 (d), 13171 (d), 13174, 13203 (d) and 13215 of P.L. 103–66, P.L. 103–296,
16 P.L. 103–337, P.L. 103–465, P.L. 104–7, excluding section 1 of P.L. 104–7, P.L.
17 104–188, excluding section 1311 of P.L. 104–188, P.L. 104–191, P.L. 104–193 and, P.L.
18 105–34, P.L. 105–206 and P.L. 105–277. The ~~internal revenue code~~ Internal Revenue
19 Code applies for Wisconsin purposes at the same time as for federal purposes.
20 Amendments to the federal ~~internal revenue code~~ Internal Revenue Code enacted
21 after December 31, 1993, do not apply to this paragraph with respect to taxable years
22 beginning after December 31, 1993, and before January 1, 1995, except that
23 changes to the ~~internal revenue code~~ Internal Revenue Code made by P.L. 103–296,
24 P.L. 103–337, P.L. 103–465, P.L. 104–7, excluding section 1 of P.L. 104–7, P.L.
25 104–188, excluding section 1311 of P.L. 104–188, P.L. 104–191, P.L. 104–193 and, P.L.

1 105–34, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the
2 provisions applicable to this subchapter made by P.L. 103–296, P.L. 103–337, P.L.
3 103–465, P.L. 104–7, excluding section 1 of P.L. 104–7, P.L. 104–188, excluding
4 section 1311 of P.L. 104–188, P.L. 104–191, P.L. 104–193 and, P.L. 105–34, P.L.
5 105–206 and P.L. 105–277, apply for Wisconsin purposes at the same time as for
6 federal purposes.

7 **SECTION 1722i.** 71.22 (4) (j) of the statutes is amended to read:

8 71.22 (4) (j) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34
9 (1g) and 71.42 (2), “~~internal revenue code~~ Internal Revenue Code”, for taxable years
10 that begin after December 31, 1994, and before January 1, 1996, means the federal
11 ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1994,
12 excluding sections 103, 104 and 110 of P.L. 102–227 and sections 13113, 13150 (d),
13 13171 (d), 13174 and 13203 (d) of P.L. 103–66, and as amended by P.L. 104–7, P.L.
14 104–188, excluding sections 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L.
15 104–191, P.L. 104–193 and, P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as
16 indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L.
17 100–203, P.L. 100–647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821
18 (b) (2) and 823 (c) (2) of P.L. 99–514 and section 1008 (g) (5) of P.L. 100–647, P.L.
19 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227,
20 excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L.
21 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L.
22 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188,
23 excluding sections 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L.
24 104–193 and, P.L. 105–34, P.L. 105–206 and P.L. 105–277. The ~~internal revenue code~~
25 Internal Revenue Code applies for Wisconsin purposes at the same time as for federal

1 purposes. Amendments to the federal ~~internal revenue code~~ Internal Revenue Code
2 enacted after December 31, 1994, do not apply to this paragraph with respect to
3 taxable years beginning after December 31, 1994, and before January 1, 1996,
4 except that changes to the ~~internal revenue code~~ Internal Revenue Code made by P.L.
5 104-7, P.L. 104-188, excluding sections 1202, 1204, 1311 and 1605 of P.L. 104-188,
6 P.L. 104-191, P.L. 104-193 and, P.L. 105-34, P.L. 105-206 and P.L. 105-277 and
7 changes that indirectly affect the provisions applicable to this subchapter made by
8 P.L. 104-7, P.L. 104-188, excluding sections 1202, 1204, 1311 and 1605 of P.L.
9 104-188, P.L. 104-191, P.L. 104-193 and, P.L. 105-34, P.L. 105-206 and P.L.
10 105-277, apply for Wisconsin purposes at the same time as for federal purposes.

11 **SECTION 1722j.** 71.22 (4) (k) of the statutes is amended to read:

12 71.22 (4) (k) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34
13 (1g) and 71.42 (2), “~~internal revenue code~~ Internal Revenue Code”, for taxable years
14 that begin after December 31, 1995, and before January 1, 1997, means the federal
15 ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1995,
16 excluding sections 103, 104 and 110 of P.L. 102-227 and sections 13113, 13150 (d),
17 13171 (d), 13174 and 13203 (d) of P.L. 103-66, and as amended by P.L. 104-188,
18 excluding sections 1123, 1202, 1204, 1311 and 1605 of P.L. 104-188, P.L. 104-191,
19 P.L. 104-193, P.L. 105-33 and, P.L. 105-34, P.L. 105-206 and P.L. 105-277, and as
20 indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L.
21 100-203, P.L. 100-647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821
22 (b) (2) and 823 (c) (2) of P.L. 99-514 and section 1008 (g) (5) of P.L. 100-647, P.L.
23 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227,
24 excluding sections 103, 104 and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L.
25 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L.

1 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188,
2 excluding sections 1123, 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191,
3 P.L. 104–193, P.L. 105–33 and, P.L. 105–34, P.L. 105–206 and P.L. 105–277. The
4 ~~internal revenue code~~ Internal Revenue Code applies for Wisconsin purposes at the
5 same time as for federal purposes. Amendments to the federal ~~internal revenue code~~
6 Internal Revenue Code enacted after December 31, 1995, do not apply to this
7 paragraph with respect to taxable years beginning after December 31, 1995, and
8 before January 1, 1997, except that changes to the Internal Revenue Code made by
9 P.L. 104–188, excluding sections 1123, 1202, 1204, 1311 and 1605 of P.L. 104–188,
10 P.L. 104–191, P.L. 104–193, P.L. 105–33 and, P.L. 105–34, P.L. 105–206 and P.L.
11 105–277 and changes that indirectly affect the provisions applicable to this
12 subchapter made by P.L. 104–188, excluding sections 1123, 1202, 1204, 1311 and
13 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 and, P.L. 105–34, P.L.
14 105–206 and P.L. 105–277, apply for Wisconsin purposes at the same time as for
15 federal purposes.

16 **SECTION 1722k.** 71.22 (4) (L) of the statutes is amended to read:

17 71.22 (4) (L) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34
18 (1g) and 71.42 (2), “~~internal revenue code~~ Internal Revenue Code”, for taxable years
19 that begin after December 31, 1996, and before January 1, 1998, means the federal
20 ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1996,
21 excluding sections 103, 104 and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171
22 (d), 13174 and 13203 (d) of P.L. 103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311
23 and 1605 (d) of P.L. 104–188, and as amended by P.L. 105–33 and, P.L. 105–34, P.L.
24 105–206 and P.L. 105–277, and as indirectly affected in the provisions applicable to
25 this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647 excluding sections 803

1 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2) and 823 (c) (2) of P.L. 99–514 and section
2 1008 (g) (5) of P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239,
3 P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L.
4 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d),
5 13174 and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L.
6 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d)
7 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 and, P.L. 105–34, P.L.
8 105–206 and P.L. 105–277. The ~~internal revenue code~~ Internal Revenue Code
9 applies for Wisconsin purposes at the same time as for federal purposes.
10 Amendments to the federal ~~internal revenue code~~ Internal Revenue Code enacted
11 after December 31, 1996, do not apply to this paragraph with respect to taxable years
12 beginning after December 31, 1996, and before January 1, 1998, except that
13 changes to the ~~internal revenue code~~ Internal Revenue Code made by P.L. 105–33
14 and, P.L. 105–34, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect
15 the provisions applicable to this subchapter made by P.L. 105–33 and, P.L. 105–34,
16 P.L. 105–206 and P.L. 105–277 apply for Wisconsin purposes at the same time as for
17 federal purposes.

18 **SECTION 1722L.** 71.22 (4) (m) of the statutes is amended to read:

19 71.22 (4) (m) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34
20 (1g) and 71.42 (2), “Internal Revenue Code”, for taxable years that begin after
21 December 31, 1997, and before January 1, 1999, means the federal Internal
22 Revenue Code as amended to December 31, 1997, excluding sections 103, 104 and
23 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L.
24 103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188,
25 and as amended by P.L. 105–178, P.L. 105–206 and P.L. 105–277, and as indirectly

1 affected in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203,
2 P.L. 100-647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2) and
3 823 (c) (2) of P.L. 99-514 and section 1008 (g) (5) of P.L. 100-647, P.L. 101-73, P.L.
4 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections
5 103, 104 and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding
6 sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103-66, P.L.
7 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188, excluding sections
8 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L.
9 104-193, P.L. 105-33 and, P.L. 105-34, P.L. 105-178, P.L. 105-206 and P.L. 105-277.

10 The Internal Revenue Code applies for Wisconsin purposes at the same time as for
11 federal purposes. Amendments to the federal Internal Revenue Code enacted after
12 December 31, 1997, do not apply to this paragraph with respect to taxable years
13 beginning after December 31, 1997, and before January 1, 1999, except that
14 changes to the Internal Revenue Code made by P.L. 105-178, P.L. 105-206 and P.L.
15 105-277 and changes that indirectly affect the provisions applicable to this
16 subchapter made by P.L. 105-178, P.L. 105-206 and P.L. 105-277 apply for
17 Wisconsin purposes at the same time as for federal purposes.

18 **SECTION 1722m.** 71.22 (4) (n) of the statutes is created to read:

19 71.22 (4) (n) Except as provided in sub. (4m) and ss. 71.26 (2) (b) and (3), 71.34
20 (1g) and 71.42 (2), “Internal Revenue Code”, for taxable years that begin after
21 December 31, 1998, means the federal Internal Revenue Code as amended to
22 December 31, 1998, excluding sections 103, 104 and 110 of P.L. 102-227, sections
23 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103-66 and sections 1123 (b),
24 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104-188, and as indirectly affected in the
25 provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647

1 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2) and 823 (c) (2) of
2 P.L. 99–514 and section 1008 (g) (5) of P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L.
3 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and
4 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections
5 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L.
6 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202
7 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L.
8 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206 and P.L. 105–277. The Internal
9 Revenue Code applies for Wisconsin purposes at the same time as for federal
10 purposes. Amendments to the federal Internal Revenue Code enacted after
11 December 31, 1998, do not apply to this paragraph with respect to taxable years
12 beginning after December 31, 1998.

13 **SECTION 1722n.** 71.22 (4m) (c) of the statutes is repealed.

14 **SECTION 1722p.** 71.22 (4m) (d) of the statutes is amended to read:

15 71.22 **(4m)** (d) For taxable years that begin after December 31, 1990, and
16 before January 1, 1992, “~~internal revenue code~~ Internal Revenue Code”, for
17 corporations that are subject to a tax on unrelated business income under s. 71.26
18 (1) (a), means the federal ~~internal revenue code~~ Internal Revenue Code as amended
19 to December 31, 1990, and as amended by P.L. 102–227, P.L. 102–486, P.L. 103–66,
20 P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and P.L. 105–34, P.L. 105–206~~
21 ~~and P.L. 105–277~~, and as indirectly affected in the provisions applicable to this
22 subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140,
23 P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, P.L. 102–486, P.L. 103–66,
24 P.L. 104–188, excluding section 1311 of P.L. 104–188, ~~and P.L. 105–34, P.L. 105–206~~
25 ~~and P.L. 105–277~~. The ~~internal revenue code~~ Internal Revenue Code applies for

1 Wisconsin purposes at the same time as for federal purposes. Amendments to the
2 ~~internal revenue code~~ Internal Revenue Code enacted after December 31, 1990, do
3 not apply to this paragraph with respect to taxable years beginning after
4 December 31, 1990, and before January 1, 1992, except that changes to the ~~internal~~
5 ~~revenue code~~ Internal Revenue Code made by P.L. 102-227, P.L. 102-486, P.L.
6 103-66, P.L. 104-188, excluding section 1311 of P.L. 104-188, and P.L. 105-34, P.L.
7 105-206 and P.L. 105-277, and changes that indirectly affect the provisions
8 applicable to this subchapter made by P.L. 102-227, P.L. 102-486, P.L. 103-66, P.L.
9 104-188, excluding section 1311 of P.L. 104-188, and P.L. 105-34, P.L. 105-206 and
10 P.L. 105-277, apply for Wisconsin purposes at the same time as for federal purposes.

11 **SECTION 1722q.** 71.22 (4m) (e) of the statutes is amended to read:

12 71.22 **(4m)** (e) For taxable years that begin after December 31, 1991, and
13 before January 1, 1993, “~~internal revenue code~~ Internal Revenue Code”, for
14 corporations that are subject to a tax on unrelated business income under s. 71.26
15 (1) (a), means the federal ~~internal revenue code~~ Internal Revenue Code as amended
16 to December 31, 1991, excluding sections 103, 104 and 110 of P.L. 102-227, and as
17 amended by P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13101 (a)
18 and (c) 1, 13171 and 13174 of P.L. 103-66, P.L. 104-188, excluding section 1311 of P.L.
19 104-188, and P.L. 105-34, P.L. 105-206 and P.L. 105-277, and as indirectly affected
20 in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L.
21 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L.
22 102-227, excluding sections 103, 104 and 110 of P.L. 102-227, P.L. 102-318, P.L.
23 102-486, P.L. 103-66, excluding sections 13101 (a) and (c) 1, 13171 and 13174 of P.L.
24 103-66, P.L. 104-188, excluding section 1311 of P.L. 104-188, and P.L. 105-34, P.L.
25 105-206 and P.L. 105-277. The ~~internal revenue code~~ Internal Revenue Code

1 applies for Wisconsin purposes at the same time as for federal purposes.
2 Amendments to the ~~internal revenue code~~ Internal Revenue Code enacted after
3 December 31, 1991, do not apply to this paragraph with respect to taxable years
4 beginning after December 31, 1991, and before January 1, 1993, except that
5 changes to the ~~internal revenue code~~ Internal Revenue Code made by P.L. 102–318,
6 P.L. 102–486, P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, and
7 P.L. 105–34, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the
8 provisions applicable to this subchapter made by P.L. 102–318, P.L. 102–486, P.L.
9 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, and P.L. 105–34, P.L.
10 105–206 and P.L. 105–277, apply for Wisconsin purposes at the same time as for
11 federal purposes.

12 **SECTION 1722r.** 71.22 (4m) (f) of the statutes is amended to read:

13 71.22 (4m) (f) For taxable years that begin after December 31, 1992, and before
14 January 1, 1994, “~~internal revenue code~~ Internal Revenue Code”, for corporations
15 that are subject to a tax on unrelated business income under s. 71.26 (1) (a), means
16 the federal ~~internal revenue code~~ Internal Revenue Code as amended to
17 December 31, 1992, excluding sections 103, 104 and 110 of P.L. 102–227, and as
18 amended by P.L. 103–66, excluding sections 13101 (a) and (c) 1, 13113, 13150, 13171,
19 13174 and 13203 of P.L. 103–66, P.L. 103–465, P.L. 104–188, excluding section 1311
20 of P.L. 104–188, and P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly
21 affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203,
22 P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508,
23 P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L.
24 102–486, P.L. 103–66, excluding sections 13101 (a) and (c) 1, 13113, 13150, 13171,
25 13174 and 13203 of P.L. 103–66, P.L. 103–465, P.L. 104–188, excluding section 1311

1 of P.L. 104-188, and P.L. 105-34, P.L. 105-206 and P.L. 105-277. The ~~internal~~
2 ~~revenue code~~ Internal Revenue Code applies for Wisconsin purposes at the same
3 time as for federal purposes. Amendments to the ~~internal revenue code~~ Internal
4 Revenue Code enacted after December 31, 1992, do not apply to this paragraph with
5 respect to taxable years beginning after December 31, 1992, and before
6 January 1, 1994, except that changes to the ~~internal revenue code~~ Internal Revenue
7 Code made by P.L. 103-66, P.L. 103-465, P.L. 104-188, excluding section 1311 of P.L.
8 104-188, and P.L. 105-34, P.L. 105-206 and P.L. 105-277 and changes that
9 indirectly affect the provisions applicable to this subchapter made by P.L. 103-66,
10 P.L. 103-465, P.L. 104-188, excluding section 1311 of P.L. 104-188, and P.L. 105-34,
11 P.L. 105-206 and P.L. 105-277, apply for Wisconsin purposes at the same time as for
12 federal purposes.

13 **SECTION 1722s.** 71.22 (4m) (g) of the statutes is amended to read:

14 71.22 **(4m)** (g) For taxable years that begin after December 31, 1993, and
15 before January 1, 1995, “~~internal revenue code~~ Internal Revenue Code”, for
16 corporations that are subject to a tax on unrelated business income under s. 71.26
17 (1) (a), means the federal ~~internal revenue code~~ Internal Revenue Code as amended
18 to December 31, 1993, excluding sections 103, 104 and 110 of P.L. 102-227 and
19 sections 13113, 13150 (d), 13171 (d), 13174, 13203 (d) and 13215 of P.L. 103-66, and
20 as amended by P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, excluding
21 section 1 of P.L. 104-7, P.L. 104-188, excluding section 1311 of P.L. 104-188, P.L.
22 104-191, P.L. 104-193 and, P.L. 105-34, P.L. 105-206 and P.L. 105-277, and as
23 indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L.
24 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L.
25 101-508, P.L. 102-227, excluding sections 103, 104 and 110 of P.L. 102-227, P.L.

1 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d),
2 13174, 13203 (d) and 13215 of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465,
3 P.L. 104–7, excluding section 1 of P.L. 104–7, P.L. 104–188, excluding section 1311
4 of P.L. 104–188, P.L. 104–191, P.L. 104–193 and, P.L. 105–34, P.L. 105–206 and P.L.
5 105–277. The ~~internal revenue code~~ Internal Revenue Code applies for Wisconsin
6 purposes at the same time as for federal purposes. Amendments to the ~~internal~~
7 ~~revenue code~~ Internal Revenue Code enacted after December 31, 1993, do not apply
8 to this paragraph with respect to taxable years beginning after December 31, 1993,
9 and before January 1, 1995, except that changes to the ~~internal revenue code~~
10 Internal Revenue Code made by P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L.
11 104–7, excluding section 1 of P.L. 104–7, P.L. 104–188, excluding section 1311 of P.L.
12 104–188, P.L. 104–191, P.L. 104–193 and, P.L. 105–34, P.L. 105–206 and P.L.
13 105–277 and changes that indirectly affect the provisions applicable to this
14 subchapter made by P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, excluding
15 section 1 of P.L. 104–7, P.L. 104–188, excluding section 1311 of P.L. 104–188, P.L.
16 104–191, P.L. 104–193 and, P.L. 105–34, P.L. 105–206 and P.L. 105–277, apply for
17 Wisconsin purposes at the same time as for federal purposes.

18 **SECTION 1722t.** 71.22 (4m) (h) of the statutes is amended to read:

19 71.22 **(4m)** (h) For taxable years that begin after December 31, 1994, and
20 before January 1, 1996, “~~internal revenue code~~ Internal Revenue Code”, for
21 corporations that are subject to a tax on unrelated business income under s. 71.26
22 (1) (a), means the federal ~~internal revenue code~~ Internal Revenue Code as amended
23 to December 31, 1994, excluding sections 103, 104 and 110 of P.L. 102–227 and
24 sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, and as
25 amended by P.L. 104–7, P.L. 104–188, excluding sections 1202, 1204, 1311 and 1605

1 of P.L. 104–188, P.L. 104–191, P.L. 104–193 and, P.L. 105–34, P.L. 105–206 and P.L.
2 105–277, and as indirectly affected in the provisions applicable to this subchapter
3 by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179,
4 P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L.
5 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150
6 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L.
7 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1202, 1204, 1311 and 1605 of
8 P.L. 104–188, P.L. 104–191, P.L. 104–193 and, P.L. 105–34, P.L. 105–206 and P.L.
9 105–277. The ~~internal revenue code~~ Internal Revenue Code applies for Wisconsin
10 purposes at the same time as for federal purposes. Amendments to the ~~internal~~
11 ~~revenue code~~ Internal Revenue Code enacted after December 31, 1994, do not apply
12 to this paragraph with respect to taxable years beginning after December 31, 1994,
13 and before January 1, 1996, except that changes to the ~~internal revenue code~~
14 Internal Revenue Code made by P.L. 104–7, P.L. 104–188, excluding sections 1202,
15 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193 and, P.L. 105–34,
16 P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the provisions
17 applicable to this subchapter made by P.L. 104–7, P.L. 104–188, excluding sections
18 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193 and, P.L.
19 105–34, P.L. 105–206 and P.L. 105–277, apply for Wisconsin purposes at the same
20 time as for federal purposes.

21 **SECTION 1722u.** 71.22 (4m) (i) of the statutes is amended to read:

22 71.22 (4m) (i) For taxable years that begin after December 31, 1995, and before
23 January 1, 1997, “~~internal revenue code~~ Internal Revenue Code”, for corporations
24 that are subject to a tax on unrelated business income under s. 71.26 (1) (a), means
25 the federal ~~internal revenue code~~ Internal Revenue Code as amended to

1 December 31, 1995, excluding sections 103, 104 and 110 of P.L. 102–227 and sections
2 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, and as amended by
3 P.L. 104–188, excluding sections 1123, 1202, 1204, 1311 and 1605 of P.L. 104–188,
4 P.L. 104–191, P.L. 104–193, P.L. 105–33 and, P.L. 105–34, P.L. 105–206 and P.L.
5 105–277, and as indirectly affected in the provisions applicable to this subchapter
6 by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179,
7 P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L.
8 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150
9 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L.
10 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123, 1202, 1204, 1311 and
11 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, PL. 105–33 and, P.L. 105–34, P.L.
12 105–206 and P.L. 105–277. The ~~internal revenue code~~ Internal Revenue Code
13 applies for Wisconsin purposes at the same time as for federal purposes.
14 Amendments to the ~~internal revenue code~~ Internal Revenue Code enacted after
15 December 31, 1995, do not apply to this paragraph with respect to taxable years
16 beginning after December 31, 1995, and before January 1, 1997, except that
17 changes to the Internal Revenue Code made by P.L. 104–188, excluding sections
18 1123, 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L.
19 105–33 and, P.L. 105–34, P.L. 105–206 and P.L. 105–277 and changes that indirectly
20 affect the provisions applicable to this subchapter made by P.L. 104–188, excluding
21 sections 1123, 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193,
22 P.L. 105–33 and, P.L. 105–34, P.L. 105–206 and P.L. 105–277, apply for Wisconsin
23 purposes at the same time as for federal purposes.

24 **SECTION 1722v.** 71.22 (4m) (j) of the statutes is amended to read:

1 71.22 (4m) (j) For taxable years that begin after December 31, 1996, and before
2 January 1, 1998, “Internal Revenue Code”, for corporations that are subject to a tax
3 on unrelated business income under s. 71.26 (1) (a), means the federal Internal
4 Revenue Code as amended to December 31, 1996, excluding sections 103, 104 and
5 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L.
6 103–66, and sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188
7 and as amended by P.L. 105–33 and P.L. 105–34, P.L. 105–206 and P.L. 105–277, and
8 as indirectly affected in the provisions applicable to this subchapter by P.L. 99–514,
9 P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239,
10 P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L.
11 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d),
12 13174 and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L.
13 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d)
14 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 and P.L. 105–34, P.L.
15 105–206 and P.L. 105–277. The Internal Revenue Code applies for Wisconsin
16 purposes at the same time as for federal purposes. Amendments to the Internal
17 Revenue Code enacted after December 31, 1996, do not apply to this paragraph with
18 respect to taxable years beginning after December 31, 1996, and before
19 January 1, 1998, except that changes to the Internal Revenue Code made by P.L.
20 105–33 and P.L. 105–34, P.L. 105–206 and P.L. 105–277 and changes that indirectly
21 affect provisions applicable to this subchapter made by P.L. 105–33 and P.L. 105–34,
22 P.L. 105–206 and P.L. 105–277, apply for Wisconsin purposes at the same time as for
23 federal purposes.

24 **SECTION 1722w.** 71.22 (4m) (k) of the statutes is amended to read:

1 71.22 (4m) (k) For taxable years that begin after December 31, 1997, and
2 before January 1, 1999, “Internal Revenue Code”, for corporations that are subject
3 to a tax on unrelated business income under s. 71.26 (1) (a), means the federal
4 Internal Revenue Code as amended to December 31, 1997, excluding sections 103,
5 104 and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174 and 13203
6 (d) of P.L. 103–66, and sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L.
7 104–188, and as amended by P.L. 105–178, P.L. 105–206 and P.L. 105–277, and as
8 indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L.
9 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L.
10 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L.
11 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d),
12 13174 and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L.
13 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d)
14 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 and, P.L. 105–34, P.L.
15 105–178, P.L. 105–206 and P.L. 105–277. The Internal Revenue Code applies for
16 Wisconsin purposes at the same time as for federal purposes. Amendments to the
17 Internal Revenue Code enacted after December 31, 1997, do not apply to this
18 paragraph with respect to taxable years beginning after December 31, 1997, and
19 before January 1, 1999, except that changes to the Internal Revenue Code made by
20 P.L. 105–178, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the
21 provisions applicable to this subchapter made by P.L. 105–178, P.L. 105–206 and P.L.
22 105–277 apply for Wisconsin purposes at the same time as for federal purposes.

23 **SECTION 1722x.** 71.22 (4m) (L) of the statutes is created to read:

24 71.22 (4m) (L) For taxable years that begin after December 31, 1998, “Internal
25 Revenue Code”, for corporations that are subject to a tax on unrelated business

1 income under s. 71.26 (1) (a), means the federal Internal Revenue Code as amended
2 to December 31, 1998, excluding sections 103, 104 and 110 of P.L. 102–227, sections
3 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, and sections 1123
4 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, and as indirectly affected
5 in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L.
6 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L.
7 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L.
8 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and
9 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L.
10 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L.
11 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L.
12 105–206 and P.L. 105–277. The Internal Revenue Code applies for Wisconsin
13 purposes at the same time as for federal purposes. Amendments to the Internal
14 Revenue Code enacted after December 31, 1998, do not apply to this paragraph with
15 respect to taxable years beginning after December 31, 1998.

16 **SECTION 1722y.** 71.23 (1) of the statutes is amended to read:

17 71.23 (1) INCOME TAX. For the purpose of raising revenue for the state and the
18 counties, cities, villages and towns, there shall be assessed, levied, collected and paid
19 a tax as provided under this chapter on all Wisconsin net incomes of corporations
20 which that are not subject to the franchise tax under sub. (2) and which that own
21 property within this state; that derive income from sources within this state or from
22 activities that are attributable to this state; or whose business within this state
23 during the taxable year, except as provided under sub. (3), consists exclusively of
24 foreign commerce, interstate commerce, or both, or that buy or sell lottery prizes if
25 the winning tickets were originally bought in this state; except as exempted under

1 s. 71.26 (1). This section shall not be construed to prevent or affect the correction of
2 errors or omissions in the assessments of income for former years under s. 71.74 (1)
3 and (2).

4 **SECTION 1722yb.** 71.23 (2) of the statutes is amended to read:

5 71.23 (2) FRANCHISE TAX. For the privilege of exercising its franchise, buying
6 or selling lottery prizes if the winning tickets were originally bought in this state or
7 doing business in this state in a corporate capacity, except as provided under sub. (3),
8 every domestic or foreign corporation, except corporations specified in s. 71.26 (1),
9 and every nuclear decommissioning trust or reserve fund shall annually pay a
10 franchise tax according to or measured by its entire Wisconsin net income of the
11 preceding taxable year at the rate set forth in s. 71.27 (2). In addition, except as
12 provided in sub. (3) and s. 71.26 (1), a corporation that ceases doing business in this
13 state and a nuclear decommissioning trust or reserve fund that is terminated shall
14 pay a special franchise tax according to or measured by its entire Wisconsin net
15 income for the taxable year during which the corporation ceases doing business in
16 this state or the nuclear decommissioning trust or reserve fund is terminated at the
17 rates under s. 71.27 (2). Every corporation organized under the laws of this state
18 shall be deemed to be residing within this state for the purposes of this franchise tax.
19 All provisions of this chapter and ch. 73 relating to income taxation of corporations
20 shall apply to franchise taxes imposed under this subsection, unless the context
21 requires otherwise. The tax imposed by this subsection on national banking
22 associations shall be in lieu of all taxes imposed by this state on national banking
23 associations to the extent it is not permissible to tax such associations under federal
24 law.

25 **SECTION 1722yc.** 71.23 (3) (d) of the statutes is created to read:

1 71.23 (3) (d) The storage for no more than 90 days in this state in or on property
2 owned by a person, other than the foreign corporation, of the foreign corporation's
3 tangible personal property, if the tangible personal property is transferred to the
4 person and is used in this state by the person for fabricating, processing,
5 manufacturing or printing on the parcel of property in or on which the tangible
6 personal property is stored and if the parcel of property has an assessed value, for
7 property tax purposes, of at least \$10,000,000 but no more than \$11,000,000 on
8 January 1, 1999.

9 **SECTION 1722yd.** 71.25 (5) (a) (intro.) of the statutes is amended to read:

10 71.25 (5) (a) *Apportionable income.* (intro.) Except as provided in sub. (6),
11 corporations engaged in business both within and without this state are subject to
12 apportionment. Income gain or loss from the sources listed in this paragraph is
13 presumed apportionable as unitary or operational income or other income that has
14 a taxable presence in this state. Apportionable income includes all income or loss of
15 corporations, other than nonapportionable income as specified in par. (b), including,
16 but not limited to, income, gain or loss from the following sources:

17 **SECTION 1722ym.** 71.25 (5) (b) of the statutes is amended to read:

18 71.25 (5) (b) *Nonapportionable income.* 1. Income, gain or loss from the sale
19 of nonbusiness real property or nonbusiness tangible personal property, rental of
20 nonbusiness real property or nonbusiness tangible personal property and royalties
21 from nonbusiness real property or nonbusiness tangible personal property are
22 nonapportionable and shall be allocated to the situs of the property, except that all
23 income that is realized from the sale of or purchase and subsequent sale or
24 redemption of lottery prizes if the winning tickets were originally bought in this state
25 shall be allocated to this state.

1 2. All income, gain or loss from intangible property that is earned by a personal
2 holding company, as defined in section 542 of the internal revenue code, as amended
3 to December 31, 1974, shall be allocated to the residence of the taxpayer, except that
4 all income that is realized from the sale of or purchase and subsequent sale or
5 redemption of lottery prizes if the winning tickets were originally bought in this state
6 shall be allocated to this state.

7 **SECTION 1736.** 71.25 (9) (dr) of the statutes is created to read:

8 71.25 (9) (dr) 1. For taxable years beginning after December 31, 1999, receipts
9 from a service are attributed to the state where the purchaser of the service received
10 the benefit of the service, except as provided in subd. 4. The benefit of a service is
11 received in this state if any of the following applies:

12 a. The service relates to real property that is located in this state.

13 b. The service relates to tangible personal property that is located in this state
14 at the time that the service is received.

15 c. The service is provided to a person who is located in this state.

16 d. The service is provided to a person doing business in this state.

17 e. The service is performed at a location in this state.

18 2. If the purchaser of a service receives the benefit of a service in more than one
19 state, the receipts from the performance of the service are included in the numerator
20 of the sales factor under par. (a) according to the portion of the service received in this
21 state. If the state where a purchaser received the benefit of a service cannot be
22 determined, the benefit of a service is received in the state where the purchaser, in
23 the regular course of the purchaser's business, ordered the service. If the state where
24 a purchaser ordered a service cannot be determined, the benefit of the service is

1 received in the state where the purchaser, in the regular course of the purchaser's
2 business, receives a bill for the service.

3 3. If the taxpayer is not subject to income tax in the state in which the benefit
4 of the service is received, the benefit of the service is received in this state to the
5 extent that the taxpayer's employes or representatives performed services from a
6 location in this state.

7 4. If the benefit of a service is received in this state, as provided under this
8 subsection, and the taxpayer submits evidence to the department that another state
9 that has jurisdiction to tax the service attributes the receipts from the service to that
10 state to determine the income that is taxable by that state, the taxpayer may elect,
11 by a method prescribed by the department, to attribute the receipts from the service
12 to this state in proportion to the direct cost of performing such service in this state
13 as compared to the total direct cost of performing the service in all states that have
14 jurisdiction to tax such service.

15 **SECTION 1738s.** 71.25 (15) of the statutes is created to read:

16 71.25 (15) PARTNERSHIPS AND LIMITED LIABILITY COMPANIES. (a) A general or
17 limited partner's share of the numerator and denominator of a partnership's
18 apportionment fractions under this section are included in the numerator and
19 denominator of the general or limited partner's apportionment fractions under this
20 section.

21 (b) If a limited liability company is considered by the department of revenue
22 to be a partnership, for tax purposes, a member's share of the numerator and
23 denominator of a limited liability company's apportionment fractions under this
24 section are included in the numerator and denominator of the member's
25 apportionment fractions under this section.

1 **SECTION 1738t.** 71.26 (1) (a) of the statutes is amended to read:

2 71.26 (1) (a) *Certain corporations.* Income of corporations organized under ch.
3 185, except income of a cooperative sickness care association organized under s.
4 185.981, or of a service insurance corporation organized under ch. 613, that is derived
5 from a health maintenance organization as defined in s. 609.01 (2) or a limited
6 service health organization as defined in s. 609.01 (3), or operating under subch. I
7 of ch. 616 which are bona fide cooperatives operated without pecuniary profit to any
8 shareholder or member, or operated on a cooperative plan pursuant to which they
9 determine and distribute their proceeds in substantial compliance with s. 185.45,
10 and the income, except the unrelated business taxable income as defined in section
11 512 of the internal revenue code and except income that is derived from a health
12 maintenance organization as defined in s. 609.01 (2) or a limited service health
13 organization as defined in s. 609.01 (3), of all religious, scientific, educational,
14 benevolent or other corporations or associations of individuals not organized or
15 conducted for pecuniary profit. This paragraph does not apply to the income of
16 savings banks, mutual loan corporations or savings and loan associations. This
17 paragraph does not apply to income that is realized from the sale of or purchase and
18 subsequent sale or redemption of lottery prizes if the winning tickets were originally
19 bought in this state. This paragraph applies to the income of credit unions except
20 to the income of any credit union that is derived from public deposits for any taxable
21 year in which the credit union is approved as a public depository under ch. 34 and
22 acts as a depository of state or local funds under s. 186.113 (20). For purposes of this
23 paragraph, the income of a credit union that is derived from public deposits is the
24 product of the credit union's gross annual income for the taxable year multiplied by
25 a fraction, the numerator of which is the average monthly balance of public deposits

1 in the credit union during the taxable year, and the denominator of which is the
2 average monthly balance of all deposits in the credit union during the taxable year.

3 **SECTION 1740.** 71.26 (1) (b) of the statutes is amended to read:

4 71.26 (1) (b) *Political units.* Income received by the United States, the state
5 and all counties, cities, villages, towns, school districts, technical college districts,
6 joint local water authorities created under s. 66.0735, family care districts under s.
7 46.2895 or other political units of this state.

8 **SECTION 1740c.** 71.26 (2) (a) of the statutes is amended to read:

9 71.26 (2) (a) *Corporations in general.* The “net income” of a corporation means
10 the gross income as computed under the internal revenue code as modified under
11 sub. (3) minus the amount of recapture under s. 71.28 (1di) plus the amount of credit
12 computed under s. 71.28 (1) and (3) to (5) plus the amount of the credit computed
13 under s. 71.28 (1dd), (1de), (1di), (1dj), (1dL), (1ds) ~~and~~, (1dx) and (1dy) and not
14 passed through by a partnership, limited liability company or tax-option corporation
15 that has added that amount to the partnership’s, limited liability company’s or
16 tax-option corporation’s income under s. 71.21 (4) or 71.34 (1) (g) plus the amount
17 of losses from the sale or other disposition of assets the gain from which would be
18 wholly exempt income, as defined in sub. (3) (L), if the assets were sold or otherwise
19 disposed of at a gain and minus deductions, as computed under the internal revenue
20 code as modified under sub. (3), plus or minus, as appropriate, an amount equal to
21 the difference between the federal basis and Wisconsin basis of any asset sold,
22 exchanged, abandoned or otherwise disposed of in a taxable transaction during the
23 taxable year, except as provided in par. (b) and s. 71.45 (2) and (5).

24 **SECTION 1740d.** 71.26 (2) (b) 5. of the statutes is repealed.

25 **SECTION 1740e.** 71.26 (2) (b) 6. of the statutes is amended to read:

1 71.26 (2) (b) 6. For taxable years that begin after December 31, 1990, and
2 before January 1, 1992, for a corporation, conduit or common law trust which
3 qualifies as a regulated investment company, real estate mortgage investment
4 conduit or real estate investment trust under the ~~internal revenue code~~ Internal
5 Revenue Code as amended to December 31, 1990, and as amended by P.L. 102–227,
6 P.L. 102–486, P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, and,
7 P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected in the
8 provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647,
9 P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227,
10 P.L. 102–486, P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, and
11 P.L. 105–34, P.L. 105–206 and P.L. 105–277, “net income” means the federal
12 regulated investment company taxable income, federal real estate mortgage
13 investment conduit taxable income or federal real estate investment trust taxable
14 income of the corporation, conduit or trust as determined under the ~~internal revenue~~
15 ~~code~~ Internal Revenue Code as amended to December 31, 1990, and as amended by
16 P.L. 102–227, P.L. 102–486, P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L.
17 104–188, and P.L. 105–34, P.L. 105–206 and P.L. 105–277 and as indirectly affected
18 in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L.
19 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L.
20 102–227, P.L. 102–486, P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L.
21 104–188, and P.L. 105–34, P.L. 105–206 and P.L. 105–277, except that property that,
22 under s. 71.02 (1) (c) 8. to 11., 1985 stats., is required to be depreciated for taxable
23 years 1983 to 1986 under the ~~internal revenue code~~ Internal Revenue Code as
24 amended to December 31, 1980, shall continue to be depreciated under the ~~internal~~
25 ~~revenue code~~ Internal Revenue Code as amended to December 31, 1980, and except

1 that the appropriate amount shall be added or subtracted to reflect differences
2 between the depreciation or adjusted basis for federal income tax purposes and the
3 depreciation or adjusted basis under this chapter of any property disposed of during
4 the taxable year. The ~~internal-revenue code~~ Internal Revenue Code as amended to
5 December 31, 1990, and as amended by P.L. 102–227, P.L. 102–486, P.L. 103–66, P.L.
6 104–188, excluding section 1311 of P.L. 104–188, and P.L. 105–34, P.L. 105–206 and
7 P.L. 105–277, and as indirectly affected in the provisions applicable to this
8 subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140,
9 P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, P.L. 102–486, P.L. 103–66,
10 P.L. 104–188, excluding section 1311 of P.L. 104–188, and P.L. 105–34, P.L. 105–206
11 and P.L. 105–277, applies for Wisconsin purposes at the same time as for federal
12 purposes. Amendments to the ~~internal-revenue code~~ Internal Revenue Code enacted
13 after December 31, 1990, do not apply to this subdivision with respect to taxable
14 years that begin after December 31, 1990, and before January 1, 1992, except that
15 changes to the ~~internal-revenue code~~ Internal Revenue Code made by P.L. 102–227,
16 P.L. 102–486, P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, and
17 P.L. 105–34, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the
18 provisions applicable to this subchapter made by P.L. 102–227, P.L. 102–486, P.L.
19 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, and, P.L. 105–34, P.L.
20 105–206 and P.L. 105–277, apply for Wisconsin purposes at the same time as for
21 federal purposes.

22 **SECTION 1740f.** 71.26 (2) (b) 7. of the statutes is amended to read:

23 71.26 (2) (b) 7. For taxable years that begin after December 31, 1991, and
24 before January 1, 1993, for a corporation, conduit or common law trust which
25 qualifies as a regulated investment company, real estate mortgage investment

1 conduit or real estate investment trust under the ~~internal revenue code~~ Internal
2 Revenue Code as amended to December 31, 1991, excluding sections 103, 104 and
3 110 of P.L. 102-227, and as amended by P.L. 102-318, P.L. 102-486, P.L. 103-66,
4 excluding sections 13101 (a) and (c) 1, 13171 and 13174 of P.L. 103-66, P.L. 104-188,
5 excluding section 1311 of P.L. 104-188, and P.L. 105-34, P.L. 105-206 and P.L.
6 105-277, and as indirectly affected in the provisions applicable to this subchapter
7 by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179,
8 P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104 and 110 of P.L.
9 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13101 (a) and
10 (c) 1, 13171 and 13174 of P.L. 103-66, P.L. 104-188, excluding section 1311 of P.L.
11 104-188, and P.L. 105-34, P.L. 105-206 and P.L. 105-277, “net income” means the
12 federal regulated investment company taxable income, federal real estate mortgage
13 investment conduit taxable income or federal real estate investment trust taxable
14 income of the corporation, conduit or trust as determined under the ~~internal revenue~~
15 ~~code~~ Internal Revenue Code as amended to December 31, 1991, excluding sections
16 103, 104 and 110 of P.L. 102-227, and as amended by P.L. 102-318, P.L. 102-486, P.L.
17 103-66, excluding sections 13101 (a) and (c) 1, 13171 and 13174 of P.L. 103-66, P.L.
18 104-188, excluding section 1311 of P.L. 104-188, and P.L. 105-34, P.L. 105-206 and
19 P.L. 105-277 and as indirectly affected in the provisions applicable to this
20 subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140,
21 P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104
22 and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections
23 13101 (a) and (c) 1, 13171 and 13174 of P.L. 103-66, P.L. 104-188, excluding section
24 1311 of P.L. 104-188, and P.L. 105-34, P.L. 105-206 and P.L. 105-277, except that
25 property that, under s. 71.02 (1) (c) 8. to 11., 1985 stats., is required to be depreciated

1 for taxable years 1983 to 1986 under the ~~internal revenue code~~ Internal Revenue
2 Code as amended to December 31, 1980, shall continue to be depreciated under the
3 ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1980,
4 and except that the appropriate amount shall be added or subtracted to reflect
5 differences between the depreciation or adjusted basis for federal income tax
6 purposes and the depreciation or adjusted basis under this chapter of any property
7 disposed of during the taxable year. The ~~internal revenue code~~ Internal Revenue
8 Code as amended to December 31, 1991, excluding sections 103, 104 and 110 of P.L.
9 102-227, and as amended by P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding
10 sections 13101 (a) and (c) 1, 13171 and 13174 of P.L. 103-66, P.L. 104-188, excluding
11 section 1311 of P.L. 104-188, ~~and P.L. 105-34, P.L. 105-206 and P.L. 105-277~~, and
12 as indirectly affected in the provisions applicable to this subchapter by P.L. 99-514,
13 P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239,
14 P.L. 101-508, P.L. 102-227, excluding sections 103, 104 and 110 of P.L. 102-227, P.L.
15 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13101 (a) and (c) 1, 13171 and
16 13174 of P.L. 103-66, P.L. 104-188, excluding section 1311 of P.L. 104-188, ~~and P.L.~~
17 ~~105-34, P.L. 105-206 and P.L. 105-277~~ applies for Wisconsin purposes at the same
18 time as for federal purposes. Amendments to the ~~internal revenue code~~ Internal
19 Revenue Code enacted after December 31, 1991, do not apply to this subdivision with
20 respect to taxable years that begin after December 31, 1991, and before
21 January 1, 1993, except that changes to the ~~internal revenue code~~ Internal Revenue
22 Code made by P.L. 102-318, P.L. 102-486, P.L. 103-66, P.L. 104-188, excluding
23 section 1311 of P.L. 104-188, ~~and P.L. 105-34, P.L. 105-206 and P.L. 105-277~~ and
24 changes that indirectly affect the provisions applicable to this subchapter made by
25 P.L. 102-318, P.L. 102-486, P.L. 103-66, P.L. 104-188, excluding section 1311 of P.L.

1 104–188, and P.L. 105–34, P.L. 105–206 and P.L. 105–277 apply for Wisconsin
2 purposes at the same time as for federal purposes.

3 **SECTION 1740g.** 71.26 (2) (b) 8. of the statutes is amended to read:

4 71.26 (2) (b) 8. For taxable years that begin after December 31, 1992, and
5 before January 1, 1994, for a corporation, conduit or common law trust which
6 qualifies as a regulated investment company, real estate mortgage investment
7 conduit or real estate investment trust under the ~~internal revenue code~~ Internal
8 Revenue Code as amended to December 31, 1992, excluding sections 103, 104 and
9 110 of P.L. 102–227, and as amended by P.L. 103–66, excluding sections 13101 (a) and
10 (c)1., 13113, 13150, 13171, 13174 and 13203 of P.L. 103–66, P.L. 103–465, P.L.
11 104–188, excluding section 1311 of P.L. 104–188, and P.L. 105–34, P.L. 105–206 and
12 P.L. 105–277, and as indirectly affected in the provisions applicable to this
13 subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140,
14 P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104
15 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections
16 13101 (a) and (c) 1, 13113, 13150, 13171, 13174 and 13203 of P.L. 103–66, P.L.
17 103–465, P.L. 104–188, excluding section 1311 of P.L. 104–188, and P.L. 105–34, P.L.
18 105–206 and P.L. 105–277, “net income” means the federal regulated investment
19 company taxable income, federal real estate mortgage investment conduit taxable
20 income or federal real estate investment trust taxable income of the corporation,
21 conduit or trust as determined under the ~~internal revenue code~~ Internal Revenue
22 Code as amended to December 31, 1992, excluding sections 103, 104 and 110 of P.L.
23 102–227, and as amended by P.L. 103–66, excluding sections 13101 (a) and (c) 1,
24 13113, 13150, 13171, 13174 and 13203 of P.L. 103–66, P.L. 103–465, P.L. 104–188,
25 excluding section 1311 of P.L. 104–188, and P.L. 105–34, P.L. 105–206 and P.L.

1 105-277, and as indirectly affected in the provisions applicable to this subchapter
2 by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179,
3 P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104 and 110 of P.L.
4 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13101 (a) and
5 (c) 1., 13113, 13150, 13171, 13174 and 13203 of P.L. 103-66, P.L. 103-465, P.L.
6 104-188, excluding section 1311 of P.L. 104-188, and P.L. 105-34, P.L. 105-206 and
7 P.L. 105-277, except that property that, under s. 71.02 (1) (c) 8. to 11., 1985 stats.,
8 is required to be depreciated for taxable years 1983 to 1986 under the ~~internal~~
9 ~~revenue code~~ Internal Revenue Code as amended to December 31, 1980, shall
10 continue to be depreciated under the ~~internal revenue code~~ Internal Revenue Code
11 as amended to December 31, 1980, and except that the appropriate amount shall be
12 added or subtracted to reflect differences between the depreciation or adjusted basis
13 for federal income tax purposes and the depreciation or adjusted basis under this
14 chapter of any property disposed of during the taxable year. The ~~internal revenue~~
15 ~~code~~ Internal Revenue Code as amended to December 31, 1992, excluding sections
16 103, 104 and 110 of P.L. 102-227, and as amended by P.L. 103-66, excluding sections
17 13101 (a) and (c) 1, 13113, 13150, 13171, 13174 and 13203 of P.L. 103-66, P.L.
18 103-465, P.L. 104-188, excluding section 1311 of P.L. 104-188, and P.L. 105-34, P.L.
19 105-206 and P.L. 105-277, and as indirectly affected in the provisions applicable to
20 this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L.
21 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections
22 103, 104 and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding
23 sections 13101 (a) and (c) 1, 13113, 13150, 13171, 13174 and 13203 of P.L. 103-66,
24 P.L. 103-465, P.L. 104-188, excluding section 1311 of P.L. 104-188, and P.L. 105-34,
25 P.L. 105-206 and P.L. 105-277, applies for Wisconsin purposes at the same time as

1 for federal purposes. Amendments to the ~~internal revenue code~~ Internal Revenue
2 Code enacted after December 31, 1992, do not apply to this subdivision with respect
3 to taxable years that begin after December 31, 1992, and before January 1, 1994,
4 except that changes to the ~~internal revenue code~~ Internal Revenue Code made by P.L.
5 103-66, P.L. 103-465, P.L. 104-188, excluding section 1311 of P.L. 104-188, and P.L.
6 105-34, P.L. 105-206 and P.L. 105-277 and changes that indirectly affect the
7 provisions applicable to this subchapter made by P.L. 103-66, P.L. 103-465, P.L.
8 104-188, excluding section 1311 of P.L. 104-188, and P.L. 105-34, P.L. 105-206 and
9 P.L. 105-277, apply for Wisconsin purposes at the same time as for federal purposes.

10 **SECTION 1740h.** 71.26 (2) (b) 9. of the statutes is amended to read:

11 71.26 (2) (b) 9. For taxable years that begin after December 31, 1993, and
12 before January 1, 1995, for a corporation, conduit or common law trust which
13 qualifies as a regulated investment company, real estate mortgage investment
14 conduit or real estate investment trust under the ~~internal revenue code~~ Internal
15 Revenue Code as amended to December 31, 1993, excluding sections 103, 104 and
16 110 of P.L. 102-227 and sections 13113, 13150 (d), 13171 (d), 13174, 13203 (d) and
17 13215 of P.L. 103-66, and as amended by P.L. 103-296, P.L. 103-337, P.L. 103-465,
18 P.L. 104-7, excluding section 1 of P.L. 104-7, P.L. 104-188, excluding section 1311
19 of P.L. 104-188, P.L. 104-191, P.L. 104-193 and, P.L. 105-34, P.L. 105-206 and P.L.
20 105-277, and as indirectly affected in the provisions applicable to this subchapter
21 by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179,
22 P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104 and 110 of P.L.
23 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150
24 (d), 13171 (d), 13174, 13203 (d) and 13215 of P.L. 103-66, P.L. 103-296, P.L. 103-337,
25 P.L. 103-465, P.L. 104-7, excluding section 1 of P.L. 104-7, P.L. 104-188, excluding

1 section 1311 of P.L. 104–188, P.L. 104–191, P.L. 104–193 and, P.L. 105–34, P.L.
2 105–206 and P.L. 105–277, “net income” means the federal regulated investment
3 company taxable income, federal real estate mortgage investment conduit taxable
4 income or federal real estate investment trust taxable income of the corporation,
5 conduit or trust as determined under the ~~internal revenue code~~ Internal Revenue
6 Code as amended to December 31, 1993, excluding sections 103, 104 and 110 of P.L.
7 102–227 and sections 13113, 13150 (d), 13171 (d), 13174, 13203 (d) and 13215 of P.L.
8 103–66, and as amended by P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7,
9 excluding section 1 of P.L. 104–7, P.L. 104–188, excluding section 1311 of P.L.
10 104–188, P.L. 104–191, P.L. 104–193 and, P.L. 105–34, P.L. 105–206 and P.L.
11 105–277, and as indirectly affected in the provisions applicable to this subchapter
12 by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179,
13 P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L.
14 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150
15 (d), 13171 (d), 13174, 13203 (d) and 13215 of P.L. 103–66, P.L. 103–296, P.L. 103–337,
16 P.L. 103–465, P.L. 104–7, excluding section 1 of P.L. 104–7, P.L. 104–188, excluding
17 section 1311 of P.L. 104–188, P.L. 104–191, P.L. 104–193, and P.L. 105–34, P.L.
18 105–206 and P.L. 105–277, except that property that, under s. 71.02 (1) (c) 8. to 11.,
19 1985 stats., is required to be depreciated for taxable years 1983 to 1986 under the
20 ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1980,
21 shall continue to be depreciated under the ~~internal revenue code~~ Internal Revenue
22 Code as amended to December 31, 1980, and except that the appropriate amount
23 shall be added or subtracted to reflect differences between the depreciation or
24 adjusted basis for federal income tax purposes and the depreciation or adjusted basis
25 under this chapter of any property disposed of during the taxable year. The ~~internal~~

1 ~~revenue code~~ Internal Revenue Code as amended to December 31, 1993, excluding
2 sections 103, 104 and 110 of P.L. 102–227 and sections 13113, 13150 (d), 13171 (d),
3 13174, 13203 (d) and 13215 of P.L. 103–66, and as amended by P.L. 103–296, P.L.
4 103–337, P.L. 103–465, P.L. 104–7, excluding section 1 of P.L. 104–7, P.L. 104–188,
5 excluding section 1311 of P.L. 104–188, P.L. 104–191, P.L. 104–193 and, P.L. 105–34,
6 P.L. 105–206 and P.L. 105–277, and as indirectly affected in the provisions applicable
7 to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L.
8 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections
9 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding
10 sections 13113, 13150 (d), 13171 (d), 13174, 13203 (d) and 13215 of P.L. 103–66, P.L.
11 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, excluding section 1 of P.L. 104–7,
12 P.L. 104–188, excluding section 1311 of P.L. 104–188, P.L. 104–191, P.L. 104–193 and,
13 P.L. 105–34, P.L. 105–206 and P.L. 105–277, applies for Wisconsin purposes at the
14 same time as for federal purposes. Amendments to the ~~internal revenue code~~
15 Internal Revenue Code enacted after December 31, 1993, do not apply to this
16 subdivision with respect to taxable years that begin after December 31, 1993, and
17 before January 1, 1995, except that changes to the ~~internal revenue code~~ Internal
18 Revenue Code made by P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7,
19 excluding section 1 of P.L. 104–7, P.L. 104–188, excluding section 1311 of P.L.
20 104–188, P.L. 104–191, P.L. 104–193 and, P.L. 105–34, P.L. 105–206 and P.L.
21 105–277 and changes that indirectly affect the provisions applicable to this
22 subchapter made by P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, excluding
23 section 1 of P.L. 104–7, P.L. 104–188, excluding section 1311 of P.L. 104–188, P.L.
24 104–191, P.L. 104–193 and, P.L. 105–34, P.L. 105–206 and P.L. 105–277, apply for
25 Wisconsin purposes at the same time as for federal purposes.

1 **SECTION 1740i.** 71.26 (2) (b) 10. of the statutes is amended to read:

2 71.26 **(2)** (b) 10. For taxable years that begin after December 31, 1994, and
3 before January 1, 1996, for a corporation, conduit or common law trust which
4 qualifies as a regulated investment company, real estate mortgage investment
5 conduit or real estate investment trust under the ~~internal revenue code~~ Internal
6 Revenue Code as amended to December 31, 1994, excluding sections 103, 104 and
7 110 of P.L. 102–227 and sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of
8 P.L. 103–66, and as amended by P.L. 104–7, P.L. 104–188, excluding sections 1202,
9 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193 and, P.L. 105–34,
10 P.L. 105–206 and P.L. 105–277, and as indirectly affected in the provisions applicable
11 to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L.
12 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections
13 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding
14 sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L.
15 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections
16 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193 and, P.L.
17 105–34, P.L. 105–206 and P.L. 105–277, “net income” means the federal regulated
18 investment company taxable income, federal real estate mortgage investment
19 conduit taxable income or federal real estate investment trust taxable income of the
20 corporation, conduit or trust as determined under the ~~internal revenue code~~ Internal
21 Revenue Code as amended to December 31, 1994, excluding sections 103, 104 and
22 110 of P.L. 102–227 and sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of
23 P.L. 103–66, and as amended by P.L. 104–7, P.L. 104–188, excluding sections 1202,
24 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193 and, P.L. 105–34,
25 P.L. 105–206 and P.L. 105–277, and as indirectly affected in the provisions applicable

1 to this subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L.
2 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections
3 103, 104 and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding
4 sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103-66, P.L.
5 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188, excluding sections
6 1202, 1204, 1311 and 1605 of P.L. 104-188, P.L. 104-191, P.L. 104-193, and P.L.
7 105-34, P.L. 105-206 and P.L. 105-277, except that property that, under s. 71.02 (1)
8 (c) 8. to 11., 1985 stats., is required to be depreciated for taxable years 1983 to 1986
9 under the ~~internal revenue code~~ Internal Revenue Code as amended to
10 December 31, 1980, shall continue to be depreciated under the ~~internal revenue code~~
11 Internal Revenue Code as amended to December 31, 1980, and except that the
12 appropriate amount shall be added or subtracted to reflect differences between the
13 depreciation or adjusted basis for federal income tax purposes and the depreciation
14 or adjusted basis under this chapter of any property disposed of during the taxable
15 year. The ~~internal revenue code~~ Internal Revenue Code as amended to
16 December 31, 1994, excluding sections 103, 104 and 110 of P.L. 102-227 and sections
17 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103-66, and as amended by
18 P.L. 104-7, P.L. 104-188, excluding sections 1202, 1204, 1311 and 1605 of P.L.
19 104-188, P.L. 104-191, P.L. 104-193 and, P.L. 105-34, P.L. 105-206 and P.L.
20 105-277, and as indirectly affected in the provisions applicable to this subchapter
21 by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179,
22 P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104 and 110 of P.L.
23 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150
24 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L.
25 103-465, P.L. 104-7, P.L. 104-188, excluding sections 1202, 1204, 1311 and 1605 of

1 P.L. 104–188, P.L. 104–191, P.L. 104–193 and, P.L. 105–34, P.L. 105–206 and P.L.
2 105–277, applies for Wisconsin purposes at the same time as for federal purposes.
3 Amendments to the ~~internal revenue code~~ Internal Revenue Code enacted after
4 December 31, 1994, do not apply to this subdivision with respect to taxable years
5 that begin after December 31, 1994, and before January 1, 1996, except that
6 changes made by P.L. 104–7, P.L. 104–188, excluding sections 1202, 1204, 1311 and
7 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193 and, P.L. 105–34, P.L. 105–206 and
8 P.L. 105–277 and changes that indirectly affect the provisions applicable to this
9 subchapter made by P.L. 104–7, P.L. 104–188, excluding sections 1202, 1204, 1311
10 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193 and, P.L. 105–34, P.L. 105–206
11 and P.L. 105–277 apply for Wisconsin purposes at the same time as for federal
12 purposes.

13 **SECTION 1740j.** 71.26 (2) (b) 11. of the statutes is amended to read:

14 71.26 (2) (b) 11. For taxable years that begin after December 31, 1995, and
15 before January 1, 1997, for a corporation, conduit or common law trust which
16 qualifies as a regulated investment company, real estate mortgage investment
17 conduit or real estate investment trust under the ~~internal revenue code~~ Internal
18 Revenue Code as amended to December 31, 1995, excluding sections 103, 104 and
19 110 of P.L. 102–227 and sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of
20 P.L. 103–66, and as amended by P.L. 104–188, excluding sections 1123, 1202, 1204,
21 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 and, P.L.
22 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected in the provisions
23 applicable to this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L.
24 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227,
25 excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L.

1 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L.
2 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188,
3 excluding sections 1123, 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191,
4 P.L. 104–193, P.L. 105–33 and, P.L. 105–34, P.L. 105–206 and P.L. 105–277, “net
5 income” means the federal regulated investment company taxable income, federal
6 real estate mortgage investment conduit taxable income or federal real estate
7 investment trust taxable income of the corporation, conduit or trust as determined
8 under the ~~internal revenue code~~ Internal Revenue Code as amended to
9 December 31, 1995, excluding sections 103, 104 and 110 of P.L. 102–227 and sections
10 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, and as amended by
11 P.L. 104–188, excluding sections 1123, 1202, 1204, 1311 and 1605 of P.L. 104–188,
12 P.L. 104–191, P.L. 104–193, P.L. 105–33 and, P.L. 105–34, P.L. 105–206 and P.L.
13 105–277, and as indirectly affected in the provisions applicable to this subchapter
14 by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179,
15 P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L.
16 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150
17 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L.
18 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123, 1202, 1204, 1311 and
19 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 and, P.L. 105–34, P.L.
20 105–206 and P.L. 105–277, except that property that, under s. 71.02 (1) (c) 8. to 11.,
21 1985 stats., is required to be depreciated for taxable years 1983 to 1986 under the
22 ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1980,
23 shall continue to be depreciated under the ~~internal revenue code~~ Internal Revenue
24 Code as amended to December 31, 1980, and except that the appropriate amount
25 shall be added or subtracted to reflect differences between the depreciation or

1 adjusted basis for federal income tax purposes and the depreciation or adjusted basis
2 under this chapter of any property disposed of during the taxable year. The ~~internal~~
3 ~~revenue code~~ Internal Revenue Code as amended to December 31, 1995, excluding
4 sections 103, 104 and 110 of P.L. 102–227 and sections 13113, 13150 (d), 13171 (d),
5 13174 and 13203 (d) of P.L. 103–66, and as amended by P.L. 104–188, excluding
6 sections 1123, 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193,
7 P.L. 105–33 and, P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly
8 affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203,
9 P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508,
10 P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L.
11 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and
12 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L.
13 104–188, excluding sections 1123, 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L.
14 104–191, P.L. 104–193, P.L. 105–33 and, P.L. 105–34, P.L. 105–206 and P.L. 105–277,
15 applies for Wisconsin purposes at the same time as for federal purposes.
16 Amendments to the ~~internal revenue code~~ Internal Revenue Code enacted after
17 December 31, 1995, do not apply to this subdivision with respect to taxable years
18 that begin after December 31, 1995, and before January 1, 1997, except that
19 changes to the Internal Revenue Code made by P.L. 104–188, excluding sections
20 1123, 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L.
21 105–33 and, P.L. 105–34, P.L. 105–206 and P.L. 105–277 and changes that indirectly
22 affect the provisions applicable to this subchapter made by P.L. 104–188, excluding
23 sections 1123, 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193,
24 P.L. 105–33 and, P.L. 105–34, P.L. 105–206 and P.L. 105–277, apply for Wisconsin
25 purposes at the same time as for federal purposes.

1 **SECTION 1740k.** 71.26 (2) (b) 12. of the statutes is amended to read:

2 71.26 **(2)** (b) 12. For taxable years that begin after December 31, 1996, and

3 before January 1, 1998, for a corporation, conduit or common law trust which

4 qualifies as a regulated investment company, real estate mortgage investment

5 conduit, real estate investment trust or financial asset securitization investment

6 trust under the Internal Revenue Code as amended to December 31, 1996, excluding

7 sections 103, 104 and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174

8 and 13203 (d) of P.L. 103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605

9 (d) of P.L. 104–188, and as amended by P.L. 105–33 and, P.L. 105–34, P.L. 105–206

10 and P.L. 105–277, and as indirectly affected in the provisions applicable to this

11 subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140,

12 P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104

13 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections

14 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L.

15 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202

16 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L.

17 105–33 and, P.L. 105–34, P.L. 105–206 and P.L. 105–277, “net income” means the

18 federal regulated investment company taxable income, federal real estate mortgage

19 investment conduit taxable income, federal real estate investment trust or financial

20 asset securitization investment trust taxable income of the corporation, conduit or

21 trust as determined under the ~~internal revenue code~~ Internal Revenue Code as

22 amended to December 31, 1996, excluding sections 103, 104 and 110 of P.L. 102–227,

23 sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66 and sections

24 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188 and as amended by P.L.

25 105–33 and, P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected

1 in the provisions applicable to this subchapter by P.L. 99-514, P.L. 100-203, P.L.
2 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L.
3 102-227, excluding sections 103, 104 and 110 of P.L. 102-227, P.L. 102-318, P.L.
4 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and
5 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L.
6 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L.
7 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33 and P.L. 105-34, P.L. 105-206 and
8 P.L. 105-277, except that property that, under s. 71.02 (1) (c) 8. to 11., 1985 stats.,
9 is required to be depreciated for taxable years 1983 to 1986 under the internal
10 revenue code Internal Revenue Code as amended to December 31, 1980, shall
11 continue to be depreciated under the Internal Revenue Code as amended to
12 December 31, 1980, and except that the appropriate amount shall be added or
13 subtracted to reflect differences between the depreciation or adjusted basis for
14 federal income tax purposes and the depreciation or adjusted basis under this
15 chapter of any property disposed of during the taxable year. The Internal Revenue
16 Code as amended to December 31, 1996, excluding sections 103, 104 and 110 of P.L.
17 102-227, sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103-66,
18 and sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104-188, and as
19 amended by P.L. 105-33 and P.L. 105-34, P.L. 105-206 and P.L. 105-277, and as
20 indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L.
21 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L.
22 101-508, P.L. 102-227, excluding sections 103, 104 and 110 of P.L. 102-227, P.L.
23 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d),
24 13174 and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L.
25 104-7, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d)

1 of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 and, P.L. 105–34, P.L.
2 105–206 and P.L. 105–277, applies for Wisconsin purposes at the same time as for
3 federal purposes. Amendments to the ~~internal revenue code~~ Internal Revenue Code
4 enacted after December 31, 1996, do not apply to this subdivision with respect to
5 taxable years that begin after December 31, 1996, and before January 1, 1998,
6 except that changes to the Internal Revenue Code made by P.L. 105–33 and, P.L.
7 105–34, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the
8 provisions applicable to this subchapter made by P.L. 105–33 and, P.L. 105–34, P.L.
9 105–206 and P.L. 105–277 apply for Wisconsin purposes at the same time as for
10 federal purposes.

11 **SECTION 1740L.** 71.26 (2) (b) 13. of the statutes is amended to read:

12 71.26 (2) (b) 13. For taxable years that begin after December 31, 1997, and
13 before January 1, 1999, for a corporation, conduit or common law trust which
14 qualifies as a regulated investment company, real estate mortgage investment
15 conduit, real estate investment trust or financial asset securitization investment
16 trust under the Internal Revenue Code as amended to December 31, 1997, excluding
17 sections 103, 104 and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174
18 and 13203 (d) of P.L. 103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605
19 (d) of P.L. 104–188, and as amended by P.L. 105–178, P.L. 105–206 and P.L. 105–277,
20 and as indirectly affected in the provisions applicable to this subchapter by P.L.
21 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L.
22 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L.
23 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150
24 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L.
25 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f),

1 1311 and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 and, P.L.
2 105–34, P.L. 105–178, P.L. 105–206 and P.L. 105–277, “net income” means the
3 federal regulated investment company taxable income, federal real estate mortgage
4 investment conduit taxable income, federal real estate investment trust or financial
5 asset securitization investment trust taxable income of the corporation, conduit or
6 trust as determined under the Internal Revenue Code as amended to December 31,
7 1997, excluding sections 103, 104 and 110 of P.L. 102–227, sections 13113, 13150 (d),
8 13171 (d), 13174 and 13203 (d) of P.L. 103–66 and sections 1123 (b), 1202 (c), 1204
9 (f), 1311 and 1605 (d) of P.L. 104–188, and as amended by P.L. 105–178, P.L. 105–206
10 and P.L. 105–277, and as indirectly affected in the provisions applicable to this
11 subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140,
12 P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104
13 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections
14 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L.
15 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202
16 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L.
17 105–33 and, P.L. 105–34, P.L. 105–178, P.L. 105–206 and P.L. 105–277, except that
18 property that, under s. 71.02 (1) (c) 8. to 11., 1985 stats., is required to be depreciated
19 for taxable years 1983 to 1986 under the Internal Revenue Code as amended to
20 December 31, 1980, shall continue to be depreciated under the Internal Revenue
21 Code as amended to December 31, 1980, and except that the appropriate amount
22 shall be added or subtracted to reflect differences between the depreciation or
23 adjusted basis for federal income tax purposes and the depreciation or adjusted basis
24 under this chapter of any property disposed of during the taxable year. The Internal
25 Revenue Code as amended to December 31, 1997, excluding sections 103, 104 and

1 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L.
2 103–66, and sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188,
3 and as amended by P.L. 105–178, P.L. 105–206 and P.L. 105–277, and as indirectly
4 affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203,
5 P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508,
6 P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L.
7 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and
8 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L.
9 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L.
10 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 and, P.L. 105–34, P.L. 105–178,
11 P.L. 105–206 and P.L. 105–277, applies for Wisconsin purposes at the same time as
12 for federal purposes. Amendments to the Internal Revenue Code enacted after
13 December 31, 1997, do not apply to this subdivision with respect to taxable years that
14 begin after December 31, 1997, and before January 1, 1999, except that changes to
15 the Internal Revenue Code made by P.L. 105–178, P.L. 105–206 and P.L. 105–277 and
16 changes that indirectly affect the provisions applicable to this subchapter made by
17 P.L. 105–178, P.L. 105–206 and P.L. 105–277 apply for Wisconsin purposes at the
18 same time as for federal purposes.

19 **SECTION 1740m.** 71.26 (2) (b) 14. of the statutes is created to read:

20 71.26 (2) (b) 14. For taxable years that begin after December 31, 1998, for a
21 corporation, conduit or common law trust which qualifies as a regulated investment
22 company, real estate mortgage investment conduit, real estate investment trust or
23 financial asset securitization investment trust under the Internal Revenue Code as
24 amended to December 31, 1998, excluding sections 103, 104 and 110 of P.L. 102–227,
25 sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66 and sections

1 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, and as indirectly
2 affected in the provisions applicable to this subchapter by P.L. 99–514, P.L. 100–203,
3 P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508,
4 P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L.
5 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and
6 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L.
7 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L.
8 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L. 105–34, P.L. 105–178, P.L.
9 105–206 and P.L. 105–277, “net income” means the federal regulated investment
10 company taxable income, federal real estate mortgage investment conduit taxable
11 income, federal real estate investment trust or financial asset securitization
12 investment trust taxable income of the corporation, conduit or trust as determined
13 under the Internal Revenue Code as amended to December 31, 1998, excluding
14 sections 103, 104 and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174
15 and 13203 (d) of P.L. 103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605
16 (d) of P.L. 104–188, and as indirectly affected in the provisions applicable to this
17 subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140,
18 P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104
19 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections
20 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L.
21 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202
22 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L.
23 105–33, P.L. 105–34, P.L. 105–178, P.L. 105–206 and P.L. 105–277, except that
24 property that, under s. 71.02 (1) (c) 8. to 11., 1985 stats., is required to be depreciated
25 for taxable years 1983 to 1986 under the Internal Revenue Code as amended to

1 December 31, 1980, shall continue to be depreciated under the Internal Revenue
2 Code as amended to December 31, 1980, and except that the appropriate amount
3 shall be added or subtracted to reflect differences between the depreciation or
4 adjusted basis for federal income tax purposes and the depreciation or adjusted basis
5 under this chapter of any property disposed of during the taxable year. The Internal
6 Revenue Code as amended to December 31, 1998, excluding sections 103, 104 and
7 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L.
8 103–66, and sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188,
9 and as indirectly affected in the provisions applicable to this subchapter by P.L.
10 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L.
11 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L.
12 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150
13 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L.
14 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c), 1204 (f),
15 1311 and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33, P.L.
16 105–34, P.L. 105–178, P.L. 105–206 and P.L. 105–277, applies for Wisconsin purposes
17 at the same time as for federal purposes. Amendments to the Internal Revenue Code
18 enacted after December 31, 1998, do not apply to this subdivision with respect to
19 taxable years that begin after December 31, 1998.

20 **SECTION 1740n.** 71.26 (3) (L) of the statutes is amended to read:

21 71.26 (3) (L) Section 265 is excluded and replaced by the rule that any amount
22 otherwise deductible under this chapter that is directly or indirectly related to
23 income wholly exempt from taxes imposed by this chapter or to losses from the sale
24 or other disposition of assets the gain from which would be exempt under this
25 paragraph if the assets were sold or otherwise disposed of at a gain is not deductible.

1 In this paragraph, “wholly exempt income”, for corporations subject to franchise or
2 income taxes, includes ~~amounts received from affiliated or subsidiary corporations~~
3 ~~for~~ interest, dividends or capital gains that, ~~because of the degree of common~~
4 ~~ownership, control or management between the payor and payee,~~ are not subject to
5 taxes under this chapter. In this paragraph, “wholly exempt income”, for
6 corporations subject to income taxation under this chapter, also includes interest on
7 obligations of the United States. In this paragraph, “wholly exempt income” does not
8 include income excludable, not recognized, exempt or deductible under specific
9 provisions of this chapter. If any expense or amount otherwise deductible is
10 indirectly related both to wholly exempt income or loss and to other income or loss,
11 a reasonable proportion of the expense or amount shall be allocated to each type of
12 income or loss, in light of all the facts and circumstances.

13 **SECTION 1741m.** 71.26 (3) (y) of the statutes is amended to read:

14 71.26 (3) (y) A corporation may compute amortization and depreciation under
15 either the federal ~~internal revenue code~~ Internal Revenue Code as amended to
16 December 31, 1997 1998, or the federal ~~internal revenue code~~ Internal Revenue Code
17 in effect for the taxable year for which the return is filed, except that property first
18 placed in service by the taxpayer on or after January 1, 1983, but before
19 January 1, 1987, that, under s. 71.04 (15) (b) and (br), 1985 stats., is required to be
20 depreciated under the ~~internal revenue code~~ Internal Revenue Code as amended to
21 December 31, 1980, and property first placed in service in taxable year 1981 or
22 thereafter but before January 1, 1987, that, under s. 71.04 (15) (bm), 1985 stats., is
23 required to be depreciated under the ~~internal revenue code~~ Internal Revenue Code
24 as amended to December 31, 1980, shall continue to be depreciated under the
25 ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1980.

1 **SECTION 1741n.** 71.28 (1di) (a) (intro.) of the statutes is amended to read:

2 71.28 **(1di)** (a) (intro.) Except as provided in pars. (dm) and (f) and s. 73.03 (35),
3 for any taxable year for which the person is ~~certified under s. 560.765 (3) for~~ entitled
4 under s. 560.795 (3) to claim tax benefits, any person may claim as a credit against
5 taxes otherwise due under this chapter 2.5% of the purchase price of depreciable,
6 tangible personal property, or 1.75% of the purchase price of depreciable, tangible
7 personal property that is expensed under section 179 of the internal revenue code for
8 purposes of the taxes under this chapter, except that:

9 **SECTION 1741o.** 71.28 (1di) (a) 1. of the statutes is amended to read:

10 71.28 **(1di)** (a) 1. The investment must be in property that is purchased after
11 the person is ~~certified under s. 560.765 (3) for~~ entitled under s. 560.795 (3) to claim
12 tax benefits and that is used for at least 50% of its use in the conduct of the person's
13 business operations ~~for which the claimant is certified under s. 560.765 (3) at a~~
14 location in a development zone under subch. VI of ch. 560 or, if the property is mobile,
15 the base of operations of the property for at least 50% of its use must be a location
16 in a development zone.

17 **SECTION 1741p.** 71.28 (1di) (d) 1. of the statutes is amended to read:

18 71.28 **(1di)** (d) 1. A copy of the ~~claimant's certification for a verification from~~
19 the department of commerce that the claimant may claim tax benefits under s.
20 ~~560.765 (3) 560.795 (3).~~

21 **SECTION 1741pm.** 71.28 (1di) (f) of the statutes is amended to read:

22 71.28 **(1di)** (f) ~~If the certification of a person for~~ who is entitled under s. 560.795
23 (3) to claim tax benefits ~~under s. 560.765 (3) is revoked~~ becomes ineligible for such
24 tax benefits, that person may claim no credits under this subsection for the taxable
25 year that includes the day on which the ~~certification is revoked~~ person becomes

1 ineligible for tax benefits or succeeding taxable years and that person may carry over
2 no unused credits from previous years to offset tax under this chapter for the taxable
3 year that includes the day on which ~~certification is revoked~~ the person becomes
4 ineligible for tax benefits or succeeding taxable years.

5 **SECTION 1741pn.** 71.28 (1di) (g) of the statutes is amended to read:

6 71.28 (1di) (g) If a person who is certified under ~~s. 560.765 (3)~~ for entitled under
7 s. 560.795 (3) to claim tax benefits ceases business operations in the development
8 zone during any of the taxable years that that zone exists, that person may not carry
9 over to any taxable year following the year during which operations cease any
10 unused credits from the taxable year during which operations cease or from previous
11 taxable years.

12 **SECTION 1741pp.** 71.28 (1di) (j) of the statutes is amended to read:

13 71.28 (1di) (j) No credit may be claimed under this subsection for taxable years
14 that begin ~~on January 1, 1998, or thereafter~~ after December 31, 1997, and end
15 before January 1, 2000. Credits under this subsection for taxable years that begin
16 before January 1, 1998, may be carried forward to taxable years that begin on
17 January 1, 1998, or thereafter.

18 **SECTION 1741t.** 71.28 (1dj) (am) 1. of the statutes is amended to read:

19 71.28 (1dj) (am) 1. Modify “member of a targeted group”, as defined in section
20 51 (d) of the internal revenue code as amended to December 31, 1995, to include
21 persons unemployed as a result of a business action subject to s. 109.07 (1m) and
22 ~~persons specified under 29 USC 1651 (a)~~ dislocated workers, as defined in 29 USC
23 2801 (9). and to require a member of a targeted group to be a resident of this state.

24 **SECTION 1741v.** 71.28 (1dj) (am) 2. of the statutes is amended to read:

1 71.28 **(1dj)** (am) 2. Modify “designated local agency”, as defined in section 51
2 (d) (15) of the internal revenue code, to include the ~~job training partnership act~~
3 ~~organization~~ local workforce development board established under 29 USC 2832 for
4 the area that includes the development zone in which the employe in respect to whom
5 the credit under this subsection is claimed works, if the department of commerce
6 approves the criteria used for certification, and the department of commerce.

7 **SECTION 1742.** 71.28 (1dj) (am) 3. of the statutes is amended to read:

8 71.28 **(1dj)** (am) 3. Modify the rule for certification under section 51 (d) (16) (A)
9 of the internal revenue code to allow certification within the ~~90-day~~ period beginning
10 with the first day of employment of the employe ~~by the claimant~~.

11 **SECTION 1742g.** 71.28 (1dx) (b) (intro.) of the statutes is amended to read:

12 71.28 **(1dx)** (b) *Credit.* (intro.) Except as provided in s. 73.03 (35) and subject
13 to s. 560.785, for any taxable year for which the person is entitled under s. 560.795
14 (3) to claim tax benefits or certified under s. 560.765 (3) or 560.797 (4), any person
15 may claim as a credit against taxes imposed on the person’s income from the person’s
16 business activities in a development zone under this subchapter the following
17 amounts:

18 **SECTION 1743.** 71.28 (1dx) (b) 4. of the statutes is amended to read:

19 71.28 **(1dx)** (b) 4. The amount determined by multiplying the amount
20 determined under s. 560.785 (1) ~~(b)~~ (bm) by the number of full-time jobs retained,
21 as provided in the rules under s. 560.785, excluding jobs for which a credit has been
22 claimed under sub. (1dj), in a an enterprise development zone under s. 560.797 and
23 filled by a member of a targeted group for which significant capital investment was
24 made and by then subtracting the subsidies paid under s. 49.147 (3) (a) for those jobs.

25 **SECTION 1743b.** 71.28 (1dx) (c) of the statutes is amended to read:

1 71.28 (1dx) (c) *Credit precluded*. If the certification of a person for tax benefits
2 under s. 560.765 (3) or 560.797 (4) is revoked, or if the person becomes ineligible for
3 tax benefits under s. 560.795 (3), that person may not claim credits under this
4 subsection for the taxable year that includes the day on which the certification is
5 revoked; the taxable year that includes the day on which the person becomes
6 ineligible for tax benefits; or succeeding taxable years and that person may not carry
7 over unused credits from previous years to offset tax under this chapter for the
8 taxable year that includes the day on which certification is revoked; the taxable year
9 that includes the day on which the person becomes ineligible for tax benefits; or
10 succeeding taxable years.

11 **SECTION 1743bb.** 71.28 (1dx) (d) of the statutes is amended to read:

12 71.28 (1dx) (d) *Carry-over precluded*. If a person who is entitled under s.
13 560.795 (3) to claim tax benefits or certified under s. 560.765 (3) or 560.797 (4) for tax
14 benefits ceases business operations in the development zone during any of the
15 taxable years that that zone exists, that person may not carry over to any taxable
16 year following the year during which operations cease any unused credits from the
17 taxable year during which operations cease or from previous taxable years.

18 **SECTION 1743d.** 71.28 (1dy) of the statutes is created to read:

19 71.28 (1dy) SUSTAINABLE URBAN DEVELOPMENT ZONE CREDIT. (a) *Definitions*. In
20 this subsection:

21 1. “Brownfield” has the meaning given in sub. (1dx) (a) 1.

22 2. “Environmental remediation” means removal or containment of
23 environmental pollution, as defined in s. 299.01 (4), and restoration of soil or
24 groundwater that is affected by environmental pollution, as defined in s. 299.01 (4),

1 in a brownfield and investigation unless the investigation determines that
2 remediation is required but remediation is not undertaken.

3 (b) *Credit*. For any taxable year for which the person is certified under s. 292.77
4 (5), a person may claim as a credit against taxes imposed under this subchapter 50%
5 of the amount expended for environmental remediation under the program under s.
6 292.77.

7 (c) *Administration*. Subsection (1dx) (c), (d) and (e), as it applies to the credit
8 under sub. (1dx), applies to the credit under this subsection.

9 **SECTION 1744bd.** 71.28 (2m) (b) 1. a. of the statutes is amended to read:

10 71.28 (2m) (b) 1. a. Subject to the limitations provided in this subsection and
11 s. 71.80 (3) and (3m), a claimant may claim as a credit against Wisconsin income or
12 franchise taxes otherwise due, the amount derived under par. (c). If the allowable
13 amount of claim exceeds the income or franchise taxes otherwise due on or measured
14 by the claimant's income or if there are no Wisconsin income or franchise taxes due
15 on or measured by the claimant's income, the amount of the claim not used as an
16 offset against income or franchise taxes shall be certified to the department of
17 administration for payment to the claimant by check, share draft or other draft paid
18 from the ~~appropriation~~ appropriations under s. 20.835 (2) ~~(e)~~ (dn) and (ka).

19 **SECTION 1744be.** 71.28 (2m) (b) 1. a. of the statutes, as affected by 1999
20 Wisconsin Act (this act), is repealed and recreated to read:

21 71.28 (2m) (b) 1. a. Subject to the limitations provided in this subsection and
22 s. 71.80 (3) and (3m), a claimant may claim as a credit against Wisconsin income
23 taxes otherwise due, the amount derived under par. (c). If the allowable amount of
24 claim exceeds the income taxes otherwise due on the claimant's income or if there are
25 no Wisconsin income taxes due on the claimant's income, the amount of the claim not

1 used as an offset against income taxes shall be certified to the department of
2 administration for payment to the claimant by check, share draft or other draft paid
3 from the appropriations under s. 20.835 (2) (ka) and (q).

4 **SECTION 1757bf.** 71.28 (2m) (c) 3. of the statutes, as created by 1999 Wisconsin
5 Act 5, is amended to read:

6 71.28 (2m) (c) 3. The department shall annually adjust the percentage that is
7 used to determine the amount of a claim under subd. 1. based on the estimated
8 number of claims and the amount estimated to be expended from the appropriation
9 under s. 20.835 (2) (~~q~~) (dn), as determined under s. 79.13. The department shall
10 incorporate the annually adjusted percentage into the income tax forms and
11 instructions.

12 **SECTION 1757bg.** 71.28 (2m) (c) 3. of the statutes, as affected by 1999 Wisconsin
13 Act (this act), is repealed and recreated to read:

14 71.28 (2m) (c) 3. The department shall annually adjust the percentage that is
15 used to determine the amount of a claim under subd. 1. based on the estimated
16 number of claims and the amount estimated to be expended from the appropriation
17 under s. 20.835 (2) (q), as determined under s. 79.13. The department shall
18 incorporate the annually adjusted percentage into the income tax forms and
19 instructions.

20 **SECTION 1747m.** 71.30 (3) (eon) of the statutes is created to read:

21 71.30 (3) (eon) Sustainable urban development zone credit under s. 71.28 (1dy).

22 **SECTION 1748b.** 71.30 (10) of the statutes is created to read:

23 71.30 (10) ENDANGERED RESOURCES. (a) *Definitions.* In this subsection:

24 1. "Conservation fund" means the fund under s. 25.29.

1 2. “Endangered resources program” means purchasing or improving land or
2 habitats for any native Wisconsin endangered or threatened species, as defined in
3 s. 29.604 (2) (a) or (b), or for any nongame species, as defined in s. 29.001 (60);
4 conducting the natural heritage inventory program under s. 23.27 (3); conducting
5 wildlife and resource research and surveys; providing wildlife management services;
6 providing for wildlife damage control or the payment of claims for damage associated
7 with endangered or threatened species; and the payment of administrative expenses
8 related to the administration of this subsection.

9 (b) *Voluntary payments.* 1. ‘Designation on return.’ A corporation filing an
10 income or franchise tax return may designate on the return any amount of additional
11 payment or any amount of a refund that is due the corporation for the endangered
12 resources program.

13 2. ‘Designation added to tax owed.’ If the corporation owes any tax, the
14 corporation shall remit in full the tax due and the amount designated on the return
15 for the endangered resources program when the corporation files a tax return.

16 3. ‘Designation deducted from refund.’ Except as provided under par. (d), and
17 subject to ss. 71.75 (9) and 71.80 (3), if the corporation is owed a refund, the
18 department shall deduct the amount designated on the return for the endangered
19 resources program from the amount of the refund.

20 (c) *Errors; failure to remit correct amount.* 1. ‘Reduced designation.’ If a
21 corporation remits an amount that exceeds the tax due, after error corrections, but
22 that is less than the total of the tax due, after error corrections, and the amount that
23 is designated by the corporation on the return for the endangered resources program,
24 the department shall reduce the designation for the endangered resources program
25 to reflect the amount remitted that exceeds the tax due, after error corrections.

1 2. ‘Void designation.’ The designation for the endangered resources program
2 is void if the corporation remits an amount equal to or less than the tax due, after
3 error corrections.

4 (d) *Errors; insufficient refund.* If a corporation is owed a refund that is less than
5 the amount designated on the return for the endangered resources program, after
6 attachment and crediting under ss. 71.75 (9) and 71.80 (3) and after error corrections,
7 the department shall reduce the designation for the endangered resources program
8 to reflect the actual amount of the refund the corporation is otherwise owed.

9 (e) *Conditions.* If a corporation places any conditions on a designation for the
10 endangered resources program, the designation is void.

11 (f) *Void designation.* If a designation for the endangered resources program is
12 void, the department shall disregard the designation and determine the amounts
13 due, owed, refunded and received.

14 (g) *Tax return.* The secretary of revenue shall provide a place for the
15 designations under this subsection on the corporate income and franchise tax
16 returns and the secretary shall highlight that place on the returns by a symbol
17 chosen by the department that relates to endangered resources.

18 (h) *Certification of amounts.* Annually, on or before September 15, the
19 secretary of revenue shall certify to the department of natural resources, the
20 department of administration and the state treasurer:

21 1. The total amount of the administrative costs, including data processing
22 costs, incurred by the department of revenue in administering this subsection during
23 the previous fiscal year.

24 2. The total amount received from all designations for the endangered
25 resources program made by corporations during the previous fiscal year.

1 3. The net amount remaining after the administrative costs under subd. 1. are
2 subtracted from the total received under subd. 2.

3 (i) *Appropriations.* From the moneys received from designations for the
4 endangered resources program, an amount equal to the sum of administrative
5 expenses certified under par. (h) 1. shall be deposited into the general fund and
6 credited to the appropriation under s. 20.566 (1) (hp), and the net amount remaining
7 certified under par. (h) 3. shall be deposited into the conservation fund and credited
8 to the appropriation under s. 20.370 (1) (fs).

9 (j) *Refunds.* An amount designated for the endangered resources program
10 under this subsection is not subject to refund to a corporation that designates a
11 donation under par. (b) unless the corporation submits information to the
12 satisfaction of the department within 18 months from the date that taxes are due
13 from the corporation or from the date that the corporation filed the return, whichever
14 is later, that the amount designated is clearly in error. A refund granted by the
15 department under this paragraph shall be deducted from the moneys received under
16 this subsection in the fiscal year that the refund is certified under 71.75 (7).

17 **SECTION 1748bm.** 71.34 (1) (g) of the statutes is amended to read:

18 71.34 (1) (g) An addition shall be made for credits computed by a tax-option
19 corporation under s. 71.28 (1dd), (1de), (1di), (1dj), (1dL), (1ds), (1dx), ~~(1dy)~~ and (3)
20 and passed through to shareholders.

21 **SECTION 1748c.** 71.34 (1g) (e) of the statutes is repealed.

22 **SECTION 1748d.** 71.34 (1g) (f) of the statutes is amended to read:

23 71.34 (1g) (f) “Internal revenue code Revenue Code” for tax-option
24 corporations, for taxable years that begin after December 31, 1990, and before
25 January 1, 1992, means the federal internal revenue code Internal Revenue Code as

1 amended to December 31, 1990, and as amended by P.L. 102–227, P.L. 102–486, P.L.
2 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, and P.L. 105–34, P.L.
3 105–206 and P.L. 105–277, and as indirectly affected in the provisions applicable to
4 this subchapter by P.L. 99–514, P.L. 100–203, P.L. 100–647 excluding sections 803
5 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821 (b) (2) and 823 (c) (2) of P.L. 99–514 and section
6 1008 (g) (5) of P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239,
7 P.L. 101–508, P.L. 102–227, P.L. 102–486, P.L. 103–66, P.L. 104–188, excluding
8 section 1311 of P.L. 104–188, and P.L. 105–34, P.L. 105–206 and P.L. 105–277, except
9 that section 1366 (f) (relating to pass-through of items to shareholders) is modified
10 by substituting the tax under s. 71.35 for the taxes under sections 1374 and 1375.
11 The ~~internal revenue code~~ Internal Revenue Code applies for Wisconsin purposes at
12 the same time as for federal purposes. Amendments to the federal ~~internal revenue~~
13 ~~code~~ Internal Revenue Code enacted after December 31, 1990, do not apply to this
14 paragraph with respect to taxable years beginning after December 31, 1990, and
15 before January 1, 1992, except that changes to the ~~internal revenue code~~ Internal
16 Revenue Code made by P.L. 102–227, P.L. 102–486, P.L. 103–66, P.L. 104–188,
17 excluding section 1311 of P.L. 104–188, and P.L. 105–34, P.L. 105–206 and P.L.
18 105–277 and changes that indirectly affect provisions applicable to this subchapter
19 made by P.L. 102–227, P.L. 102–486, P.L. 103–66, P.L. 104–188, excluding section
20 1311 of P.L. 104–188, and P.L. 105–34, P.L. 105–206 and P.L. 105–277, apply for
21 Wisconsin purposes at the same time as for federal purposes.

22 **SECTION 1748e.** 71.34 (1g) (g) of the statutes is amended to read:

23 71.34 **(1g)** (g) “~~Internal revenue code~~ Revenue Code” for tax-option
24 corporations, for taxable years that begin after December 31, 1991, and before
25 January 1, 1993, means the federal ~~internal revenue code~~ Internal Revenue Code as

1 amended to December 31, 1991, excluding sections 103, 104 and 110 of P.L. 102–227,
2 and as amended by P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections
3 13101 (a) and (c) 1, 13171 and 13174 of P.L. 103–66, P.L. 104–188, excluding section
4 1311 of P.L. 104–188, and P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as
5 indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L.
6 100–203, P.L. 100–647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821
7 (b) (2) and 823 (c) (2) of P.L. 99–514 and section 1008 (g) (5) of P.L. 100–647, P.L.
8 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227,
9 excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L.
10 103–66, excluding sections 13101 (a) and (c) 1, 13171 and 13174 of P.L. 103–66, P.L.
11 104–188, excluding section 1311 of P.L. 104–188, and P.L. 105–34, P.L. 105–206 and
12 P.L. 105–277, except that section 1366 (f) (relating to pass-through of items to
13 shareholders) is modified by substituting the tax under s. 71.35 for the taxes under
14 sections 1374 and 1375. The ~~internal revenue code~~ Internal Revenue Code applies
15 for Wisconsin purposes at the same time as for federal purposes. Amendments to the
16 federal ~~internal revenue code~~ Internal Revenue Code enacted after
17 December 31, 1991, do not apply to this paragraph with respect to taxable years
18 beginning after December 31, 1991, and before January 1, 1993, except that
19 changes to the ~~internal revenue code~~ Internal Revenue Code made by P.L. 102–318,
20 P.L. 102–486, P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, and
21 P.L. 105–34, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the
22 provisions applicable to this subchapter made by P.L. 102–318, P.L. 102–486, P.L.
23 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, and P.L. 105–34, P.L.
24 105–206 and P.L. 105–277, apply for Wisconsin purposes at the same time as for
25 federal purposes.

1 **SECTION 1748f.** 71.34 (1g) (h) of the statutes is amended to read:

2 71.34 **(1g)** (h) “Internal revenue code Revenue Code” for tax-option
3 corporations, for taxable years that begin after December 31, 1992, and before
4 January 1, 1994, means the federal ~~internal revenue code~~ Internal Revenue Code as
5 amended to December 31, 1992, excluding sections 103, 104 and 110 of P.L. 102–227,
6 and as amended by P.L. 103–66, excluding sections 13101 (a) and (c) 1, 13113, 13150,
7 13171, 13174 and 13203 of P.L. 103–66, P.L. 103–465, P.L. 104–188, excluding section
8 1311 of P.L. 104–188, and P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as
9 indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L.
10 100–203, P.L. 100–647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821
11 (b) (2) and 823 (c) (2) of P.L. 99–514 and section 1008 (g) (5) of P.L. 100–647, P.L.
12 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227,
13 excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L.
14 103–66, excluding sections 13101 (a) and (c) 1, 13113, 13150, 13171, 13174 and 13203
15 of P.L. 103–66, P.L. 103–465, P.L. 104–188, excluding section 1311 of P.L. 104–188,
16 and P.L. 105–34, P.L. 105–206 and P.L. 105–277, except that section 1366 (f) (relating
17 to pass-through of items to shareholders) is modified by substituting the tax under
18 s. 71.35 for the taxes under sections 1374 and 1375. The ~~internal revenue code~~
19 Internal Revenue Code applies for Wisconsin purposes at the same time as for federal
20 purposes. Amendments to the federal ~~internal revenue code~~ Internal Revenue Code
21 enacted after December 31, 1992, do not apply to this paragraph with respect to
22 taxable years beginning after December 31, 1992, and before January 1, 1994,
23 except that changes to the ~~internal revenue code~~ Internal Revenue Code made by P.L.
24 103–66, P.L. 103–465, P.L. 104–188, excluding section 1311 of P.L. 104–188, and P.L.
25 105–34, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the

1 provisions applicable to this subchapter made by P.L. 103–66, P.L. 103–465, P.L.
2 104–188, excluding section 1311 of P.L. 104–188, and P.L. 105–34, P.L. 105–206 and
3 P.L. 105–277, apply for Wisconsin purposes at the same time as for federal purposes.

4 **SECTION 1748g.** 71.34 (1g) (i) of the statutes is amended to read:

5 71.34 **(1g)** (i) “Internal revenue code Revenue Code” for tax-option
6 corporations, for taxable years that begin after December 31, 1993, and before
7 January 1, 1995, means the federal ~~internal revenue code~~ Internal Revenue Code as
8 amended to December 31, 1993, excluding sections 103, 104 and 110 of P.L. 102–227
9 and sections 13113, 13150 (d), 13171 (d), 13174, 13203 (d) and 13215 of P.L. 103–66,
10 and as amended by P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, excluding
11 section 1 of P.L. 104–7, P.L. 104–188, excluding section 1311 of P.L. 104–188, P.L.
12 104–191, P.L. 104–193 and, P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as
13 indirectly affected in the provisions applicable to this subchapter by P.L. 99–514, P.L.
14 100–203, P.L. 100–647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821
15 (b) (2) and 823 (c) (2) of P.L. 99–514 and section 1008 (g) (5) of P.L. 100–647, P.L.
16 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227,
17 excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L.
18 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174, 13203 (d) and 13215
19 of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, excluding
20 section 1 of P.L. 104–7, P.L. 104–188, excluding section 1311 of P.L. 104–188, P.L.
21 104–191, P.L. 104–193 and, P.L. 105–34, P.L. 105–206 and P.L. 105–277, except that
22 section 1366 (f) (relating to pass-through of items to shareholders) is modified by
23 substituting the tax under s. 71.35 for the taxes under sections 1374 and 1375. The
24 ~~internal revenue code~~ Internal Revenue Code applies for Wisconsin purposes at the
25 same time as for federal purposes. Amendments to the federal ~~internal revenue code~~

1 Internal Revenue Code enacted after December 31, 1993, do not apply to this
2 paragraph with respect to taxable years beginning after December 31, 1993, and
3 before January 1, 1995, except that changes to the ~~internal revenue code~~ Internal
4 Revenue Code made by P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7,
5 excluding section 1 of P.L. 104–7, P.L. 104–188, excluding section 1311 of P.L.
6 104–188, P.L. 104–191, P.L. 104–193 and, P.L. 105–34, P.L. 105–206 and P.L.
7 105–277 and changes that indirectly affect the provisions applicable to this
8 subchapter made by P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, excluding
9 section 1 of P.L. 104–7, P.L. 104–188, excluding section 1311 of P.L. 104–188, P.L.
10 104–191, P.L. 104–193 and, P.L. 105–34, P.L. 105–206 and P.L. 105–277, apply for
11 Wisconsin purposes at the same time as for federal purposes.

12 **SECTION 1748h.** 71.34 (1g) (j) of the statutes is amended to read:

13 71.34 **(1g)** (j) “~~Internal revenue code~~ Revenue Code” for tax-option
14 corporations, for taxable years that begin after December 31, 1994, and before
15 January 1, 1996, means the federal ~~internal revenue code~~ Internal Revenue Code as
16 amended to December 31, 1994, excluding sections 103, 104 and 110 of P.L. 102–227
17 and sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, and as
18 amended by P.L. 104–7, P.L. 104–188, excluding sections 1202, 1204, 1311 and 1605
19 of P.L. 104–188, P.L. 104–191, P.L. 104–193 and, P.L. 105–34, P.L. 105–206 and P.L.
20 105–277, and as indirectly affected in the provisions applicable to this subchapter
21 by P.L. 99–514, P.L. 100–203, P.L. 100–647 excluding sections 803 (d) (2) (B), 805 (d)
22 (2), 812 (c) (2), 821 (b) (2) and 823 (c) (2) of P.L. 99–514 and section 1008 (g) (5) of P.L.
23 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L.
24 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L.
25 102–486, P.L. 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and

1 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L.
2 104–188, excluding sections 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L.
3 104–191, P.L. 104–193 and, P.L. 105–34, P.L. 105–206 and P.L. 105–277, except that
4 section 1366 (f) (relating to pass-through of items to shareholders) is modified by
5 substituting the tax under s. 71.35 for the taxes under sections 1374 and 1375. The
6 ~~internal revenue code~~ Internal Revenue Code applies for Wisconsin purposes at the
7 same time as for federal purposes. Amendments to the federal ~~internal revenue code~~
8 Internal Revenue Code enacted after December 31, 1994, do not apply to this
9 paragraph with respect to taxable years beginning after December 31, 1994, and
10 before January 1, 1996, except changes to the ~~internal revenue code~~ Internal
11 Revenue Code made by P.L. 104–7, P.L. 104–188, excluding sections 1202, 1204, 1311
12 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193 and, P.L. 105–34, P.L. 105–206
13 and P.L. 105–277 and changes that indirectly affect the provisions applicable to this
14 subchapter made by P.L. 104–7, P.L. 104–188, excluding sections 1202, 1204, 1311
15 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193 and, P.L. 105–34, P.L. 105–206
16 and P.L. 105–277, apply for Wisconsin purposes at the same time as for federal
17 purposes.

18 **SECTION 1748i.** 71.34 (1g) (k) of the statutes is amended to read:

19 71.34 (1g) (k) “~~Internal revenue code~~ Revenue Code” for tax-option
20 corporations, for taxable years that begin after December 31, 1995, and before
21 January 1, 1997, means the federal ~~internal revenue code~~ Internal Revenue Code as
22 amended to December 31, 1995, excluding sections 103, 104 and 110 of P.L. 102–227
23 and sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, and as
24 amended by P.L. 104–188, excluding sections 1123, 1202, 1204, 1311 and 1605 of P.L.
25 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 and, P.L. 105–34, P.L. 105–206 and

1 P.L. 105-277, and as indirectly affected in the provisions applicable to this
2 subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647 excluding sections 803 (d) (2)
3 (B), 805 (d) (2), 812 (c) (2), 821 (b) (2) and 823 (c) (2) of P.L. 99-514 and section 1008
4 (g) (5) of P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L.
5 101-508, P.L. 102-227, excluding sections 103, 104 and 110 of P.L. 102-227, P.L.
6 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d),
7 13174 and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L.
8 104-7, P.L. 104-188, excluding sections 1123, 1202, 1204, 1311 and 1605 of P.L.
9 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33 and, P.L. 105-34, P.L. 105-206 and
10 P.L. 105-277, except that section 1366 (f) (relating to pass-through of items to
11 shareholders) is modified by substituting the tax under s. 71.35 for the taxes under
12 sections 1374 and 1375. The ~~internal revenue code~~ Internal Revenue Code applies
13 for Wisconsin purposes at the same time as for federal purposes. Amendments to the
14 federal ~~internal revenue code~~ Internal Revenue Code enacted after
15 December 31, 1995, do not apply to this paragraph with respect to taxable years
16 beginning after December 31, 1995, and before January 1, 1997, except that
17 changes to the Internal Revenue Code made by P.L. 104-188, excluding sections
18 1123, 1202, 1204, 1311 and 1605 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L.
19 105-33 and, P.L. 105-34, P.L. 105-206 and P.L. 105-277 and changes that indirectly
20 affect the provisions applicable to this subchapter made by P.L. 104-188, excluding
21 sections 1123, 1202, 1204, 1311 and 1605 of P.L. 104-188, P.L. 104-191, P.L. 104-193,
22 P.L. 105-33 and, P.L. 105-34, P.L. 105-206 and P.L. 105-277 apply for Wisconsin
23 purposes at the same time as for federal purposes.

24 **SECTION 1748j.** 71.34 (1g) (L) of the statutes is amended to read:

1 71.34 (1g) (L) “Internal Revenue Code” for tax-option corporations, for taxable
2 years that begin after December 31, 1996, and before January 1, 1998, means the
3 federal Internal Revenue Code as amended to December 31, 1996, excluding
4 sections 103, 104 and 110 of P.L. 102-227, sections 13113, 13150 (d), 13171 (d), 13174
5 and 13203 (d) of P.L. 103-66 and sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605
6 (d) of P.L. 104-188, and as amended by P.L. 105-33 and, P.L. 105-34, P.L. 105-206
7 and P.L. 105-277, and as indirectly affected in the provisions applicable to this
8 subchapter by P.L. 99-514, P.L. 100-203, P.L. 100-647 excluding sections 803 (d) (2)
9 (B), 805 (d) (2), 812 (c) (2), 821 (b) (2) and 823 (c) (2) of P.L. 99-514 and section 1008
10 (g) (5) of P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L.
11 101-508, P.L. 102-227, excluding sections 103, 104 and 110 of P.L. 102-227, P.L.
12 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150 (d), 13171 (d),
13 13174 and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L.
14 104-7, P.L. 104-188, excluding sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d)
15 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33 and, P.L. 105-34, P.L.
16 105-206 and P.L. 105-277, except that section 1366 (f) (relating to pass-through of
17 items to shareholders) is modified by substituting the tax under s. 71.35 for the taxes
18 under sections 1374 and 1375. The Internal Revenue Code applies for Wisconsin
19 purposes at the same time as for federal purposes. Amendments to the federal
20 Internal Revenue Code enacted after December 31, 1996, do not apply to this
21 paragraph with respect to taxable years beginning after December 31, 1996, and
22 before January 1, 1998, except that changes to the Internal Revenue Code made by
23 P.L. 105-33 and, P.L. 105-34, P.L. 105-206 and P.L. 105-277 and changes that
24 indirectly affect the provisions applicable to this subchapter made by P.L. 105-33

1 ~~and, P.L. 105–34, P.L. 105–206 and P.L. 105–277,~~ apply for Wisconsin purposes at the
2 same time as for federal purposes.

3 **SECTION 1748k.** 71.34 (1g) (m) of the statutes is amended to read:

4 71.34 **(1g)** (m) “Internal Revenue Code” for tax–option corporations, for taxable
5 years that begin after December 31, 1997, and before January 1, 1999, means the
6 federal Internal Revenue Code as amended to December 31, 1997, excluding sections
7 103, 104 and 110 of P.L. 102–227, sections 13113, 13150 (d), 13171 (d), 13174 and
8 13203 (d) of P.L. 103–66 and sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d)
9 of P.L. 104–188, and as amended by P.L. 105–178, P.L. 105–206 and P.L. 105–277,
10 and as indirectly affected in the provisions applicable to this subchapter by P.L.
11 99–514, P.L. 100–203, P.L. 100–647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812
12 (c) (2), 821 (b) (2) and 823 (c) (2) of P.L. 99–514 and section 1008 (g) (5) of P.L. 100–647,
13 P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227,
14 excluding sections 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L.
15 103–66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L.
16 103–66, P.L. 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188,
17 excluding sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, P.L.
18 104–191, P.L. 104–193, P.L. 105–33 ~~and, P.L. 105–34, P.L. 105–178, P.L. 105–206 and~~
19 P.L. 105–277, except that section 1366 (f) (relating to pass–through of items to
20 shareholders) is modified by substituting the tax under s. 71.35 for the taxes under
21 sections 1374 and 1375. The Internal Revenue Code applies for Wisconsin purposes
22 at the same time as for federal purposes. Amendments to the federal Internal
23 Revenue Code enacted after December 31, 1997, do not apply to this paragraph with
24 respect to taxable years beginning after December 31, 1997, and before
25 January 1, 1999, except that changes to the Internal Revenue Code made by P.L.

1 105-178, P.L. 105-206 and P.L. 105-277 and changes that indirectly affect the
2 provisions applicable to this subchapter made by P.L. 105-178, P.L. 105-206 and P.L.
3 105-277 apply for Wisconsin purposes at the same time as for federal purposes.

4 **SECTION 1748L.** 71.34 (1g) (n) of the statutes is created to read:

5 71.34 (1g) (n) "Internal Revenue Code" for tax-option corporations, for taxable
6 years that begin after December 31, 1998, means the federal Internal Revenue Code
7 as amended to December 31, 1998, excluding sections 103, 104 and 110 of P.L.
8 102-227, sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103-66 and
9 sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104-188, and as
10 indirectly affected in the provisions applicable to this subchapter by P.L. 99-514, P.L.
11 100-203, P.L. 100-647 excluding sections 803 (d) (2) (B), 805 (d) (2), 812 (c) (2), 821
12 (b) (2) and 823 (c) (2) of P.L. 99-514 and section 1008 (g) (5) of P.L. 100-647, P.L.
13 101-73, P.L. 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227,
14 excluding sections 103, 104 and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L.
15 103-66, excluding sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L.
16 103-66, P.L. 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188,
17 excluding sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104-188, P.L.
18 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34, P.L. 105-178, P.L. 105-206 and P.L.
19 105-277, except that section 1366 (f) (relating to pass-through of items to
20 shareholders) is modified by substituting the tax under s. 71.35 for the taxes under
21 sections 1374 and 1375. The Internal Revenue Code applies for Wisconsin purposes
22 at the same time as for federal purposes. Amendments to the federal Internal
23 Revenue Code enacted after December 31, 1998, do not apply to this paragraph with
24 respect to taxable years beginning after December 31, 1998.

25 **SECTION 1748Lm.** 71.362 (1) of the statutes is amended to read:

1 71.362 (1) All tax-option items of nonresident individuals, nonresident estates
2 and nonresident trusts derived from a tax-option corporation not requiring
3 apportionment under sub. (2) shall follow the situs of the business of the corporation
4 from which they are derived, except that all income that is realized from the sale of
5 or purchase and subsequent sale or redemption of lottery prizes if the winning tickets
6 were originally bought in this state shall be allocated to this state.

7 **SECTION 1748Ln.** 71.362 (2) of the statutes is amended to read:

8 71.362 (2) Nonresident individuals, nonresident estates and nonresident
9 trusts deriving income from a tax-option corporation which is engaged in business
10 within and without this state shall be taxed only on the income of the corporation
11 derived from business transacted and property located in this state and losses and
12 other items of the corporation deductible by such shareholders shall be limited to
13 their proportionate share of the Wisconsin loss or other item, except that all income
14 that is realized from the sale of or purchase and subsequent sale or redemption of
15 lottery prizes if the winning tickets were originally bought in this state shall be
16 allocated to this state. For purposes of this subsection, all intangible income of
17 tax-option corporations passed through to shareholders is business income that
18 follows the situs of the business, except that all income that is realized from the sale
19 of or purchase and subsequent sale or redemption of lottery prizes if the winning
20 tickets were originally bought in this state shall be allocated to this state.

21 **SECTION 1748m.** 71.365 (1m) of the statutes is amended to read:

22 71.365 (1m) TAX-OPTION CORPORATIONS; DEPRECIATION. A tax-option corporation
23 may compute amortization and depreciation under either the federal ~~internal~~
24 ~~revenue code~~ Internal Revenue Code as amended to December 31, 1997 ~~1998~~, or the
25 federal ~~internal revenue code~~ Internal Revenue Code in effect for the taxable year

1 for which the return is filed, except that property first placed in service by the
2 taxpayer on or after January 1, 1983, but before January 1, 1987, that, under s.
3 71.04 (15) (b) and (br), 1985 stats., is required to be depreciated under the ~~internal~~
4 ~~revenue code~~ Internal Revenue Code as amended to December 31, 1980, and
5 property first placed in service in taxable year 1981 or thereafter but before
6 January 1, 1987, that, under s. 71.04 (15) (bm), 1985 stats., is required to be
7 depreciated under the ~~internal revenue code~~ Internal Revenue Code as amended to
8 December 31, 1980, shall continue to be depreciated under the ~~internal revenue code~~
9 Internal Revenue Code as amended to December 31, 1980. Any difference between
10 the adjusted basis for federal income tax purposes and the adjusted basis under this
11 chapter shall be taken into account in determining net income or loss in the year or
12 years for which the gain or loss is reportable under this chapter. If that property was
13 placed in service by the taxpayer during taxable year 1986 and thereafter but before
14 the property is used in the production of income subject to taxation under this
15 chapter, the property's adjusted basis and the depreciation or other deduction
16 schedule are not required to be changed from the amount allowable on the owner's
17 federal income tax returns for any year because the property is used in the
18 production of income subject to taxation under this chapter. If that property was
19 acquired in a transaction in taxable year 1986 or thereafter in which the adjusted
20 basis of the property in the hands of the transferee is the same as the adjusted basis
21 of the property in the hands of the transferor, the Wisconsin adjusted basis of that
22 property on the date of transfer is the adjusted basis allowable under the ~~internal~~
23 ~~revenue code~~ Internal Revenue Code as defined for Wisconsin purposes for the
24 property in the hands of the transferor.

25 **SECTION 1748n.** 71.42 (2) (d) of the statutes is repealed.

1 **SECTION 1748p.** 71.42 (2) (e) of the statutes is amended to read:

2 71.42 **(2)** (e) For taxable years that begin after December 31, 1990, and before
3 January 1, 1992, “~~internal revenue code~~ Internal Revenue Code” means the federal
4 ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1990,
5 and as amended by P.L. 102–227, P.L. 102–486, P.L. 103–66, P.L. 104–188, excluding
6 section 1311 of P.L. 104–188, and P.L. 105–34, P.L. 105–206 and P.L. 105–277, and
7 as indirectly affected by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L.
8 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, P.L. 102–486, P.L.
9 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, and P.L. 105–34, P.L.
10 105–206 and P.L. 105–277, except that “~~internal revenue code~~ Internal Revenue
11 Code” does not include section 847 of the federal ~~internal revenue code~~ Internal
12 Revenue Code. The ~~internal revenue code~~ Internal Revenue Code applies for
13 Wisconsin purposes at the same time as for federal purposes. Amendments to the
14 federal ~~internal revenue code~~ Internal Revenue Code enacted after
15 December 31, 1990, do not apply to this paragraph with respect to taxable years
16 beginning after December 31, 1990, and before January 1, 1992, except that
17 changes to the ~~internal revenue code~~ Internal Revenue Code made by P.L. 102–227,
18 P.L. 102–486, P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, and
19 P.L. 105–34, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the
20 federal ~~internal revenue code~~ Internal Revenue Code made by P.L. 102–227, P.L.
21 102–486, P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, and P.L.
22 105–34, P.L. 105–206 and P.L. 105–277, apply for Wisconsin purposes at the same
23 time as for federal purposes.

24 **SECTION 1748q.** 71.42 (2) (f) of the statutes is amended to read:

1 71.42 (2) (f) For taxable years that begin after December 31, 1991, and before
2 January 1, 1993, “~~internal revenue code~~ Internal Revenue Code” means the federal
3 ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1991,
4 excluding sections 103, 104 and 110 of P.L. 102–227, and as amended by P.L.
5 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13101 (a) and (c) 1, 13171 and
6 13174 of P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, and P.L.
7 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected by P.L. 99–514,
8 P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239,
9 P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L.
10 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13101 (a) and (c) 1, 13171 and
11 13174 of P.L. 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, and P.L.
12 105–34, P.L. 105–206 and P.L. 105–277, except that “~~internal revenue code~~ Internal
13 Revenue Code” does not include section 847 of the federal ~~internal revenue code~~
14 Internal Revenue Code. The ~~internal revenue code~~ Internal Revenue Code applies
15 for Wisconsin purposes at the same time as for federal purposes. Amendments to the
16 federal ~~internal revenue code~~ Internal Revenue Code enacted after
17 December 31, 1991, do not apply to this paragraph with respect to taxable years
18 beginning after December 31, 1991, and before January 1, 1993, except that
19 changes to the internal revenue code made by P.L. 102–318, P.L. 102–486, P.L.
20 103–66, P.L. 104–188, excluding section 1311 of P.L. 104–188, and P.L. 105–34, P.L.
21 105–206 and P.L. 105–277 and changes that indirectly affect the federal internal
22 revenue code made by P.L. 102–318, P.L. 102–486, P.L. 103–66, P.L. 104–188,
23 excluding section 1311 of P.L. 104–188, and P.L. 105–34, P.L. 105–206 and P.L.
24 105–277, apply for Wisconsin purposes at the same time as for federal purposes.

25 **SECTION 1748r.** 71.42 (2) (g) of the statutes is amended to read:

1 71.42 (2) (g) For taxable years that begin after December 31, 1992, and before
2 January 1, 1994, “~~internal revenue code~~ Internal Revenue Code” means the federal
3 ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1992,
4 excluding sections 103, 104 and 110 of P.L. 102–227, and as amended by P.L. 103–66,
5 excluding sections 13101 (a) and (c) 1, 13113, 13150, 13171, 13174 and 13203 of P.L.
6 103–66, P.L. 103–465, P.L. 104–188, excluding section 1311 of P.L. 104–188, and P.L.
7 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected by P.L. 99–514,
8 P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L. 101–239,
9 P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L. 102–227, P.L.
10 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13101 (a) and (c) 1, 13113,
11 13150, 13171, 13174 and 13203 of P.L. 103–66, P.L. 103–465, P.L. 104–188, excluding
12 section 1311 of P.L. 104–188, and P.L. 105–34, P.L. 105–206 and P.L. 105–277, except
13 that “~~internal revenue code~~ Internal Revenue Code” does not include section 847 of
14 the federal ~~internal revenue code~~ Internal Revenue Code. The ~~internal revenue code~~
15 Internal Revenue Code applies for Wisconsin purposes at the same time as for federal
16 purposes. Amendments to the federal ~~internal revenue code~~ Internal Revenue Code
17 enacted after December 31, 1992, do not apply to this paragraph with respect to
18 taxable years beginning after December 31, 1992, and before January 1, 1994,
19 except that changes to the ~~internal revenue code~~ Internal Revenue Code made by P.L.
20 103–66, P.L. 103–465, P.L. 104–188, excluding section 1311 of P.L. 104–188, and P.L.
21 105–34, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the federal
22 ~~internal revenue code~~ Internal Revenue Code made by P.L. 103–66, P.L. 103–465,
23 P.L. 104–188, excluding section 1311 of P.L. 104–188, and P.L. 105–34, P.L. 105–206
24 and P.L. 105–277, apply for Wisconsin purposes at the same time as for federal
25 purposes.

1 **SECTION 1748s.** 71.42 (2) (h) of the statutes is amended to read:

2 71.42 (2) (h) For taxable years that begin after December 31, 1993, and before
3 January 1, 1995, “~~internal revenue code~~ Internal Revenue Code” means the federal
4 ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1993
5 excluding sections 103, 104 and 110 of P.L. 102–227 and sections 13113, 13150 (d),
6 13171 (d), 13174, 13203 (d) and 13215 of P.L. 103–66, and as amended by P.L.
7 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, excluding section 1 of P.L. 104–7,
8 P.L. 104–188, excluding section 1311 of P.L. 104–188, P.L. 104–191, P.L. 104–193 and,
9 P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as indirectly affected by P.L.
10 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179, P.L.
11 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L.
12 102–227, P.L. 102–318, P.L. 102–486 and P.L. 103–66, excluding sections 13113,
13 13150 (d), 13171 (d), 13174, 13203 (d) and 13215 of P.L. 103–66, P.L. 103–296, P.L.
14 103–337, P.L. 103–465, P.L. 104–7, excluding section 1 of P.L. 104–7, P.L. 104–188,
15 excluding section 1311 of P.L. 104–188, P.L. 104–191, P.L. 104–193 and, P.L. 105–34,
16 P.L. 105–206 and P.L. 105–277, except that “~~internal revenue code~~ Internal Revenue
17 Code” does not include section 847 of the federal ~~internal revenue code~~ Internal
18 Revenue Code. The ~~internal revenue code~~ Internal Revenue Code applies for
19 Wisconsin purposes at the same time as for federal purposes. Amendments to the
20 federal ~~internal revenue code~~ Internal Revenue Code enacted after
21 December 31, 1993, do not apply to this paragraph with respect to taxable years
22 beginning after December 31, 1993, and before January 1, 1995, except that
23 changes to the ~~internal revenue code~~ Internal Revenue Code made by P.L. 103–296,
24 P.L. 103–337, P.L. 103–465, P.L. 104–7, excluding section 1 of P.L. 104–7, P.L.
25 104–188, excluding section 1311 of P.L. 104–188, P.L. 104–191, P.L. 104–193 and, P.L.

1 105–34, P.L. 105–206 and P.L. 105–277 and changes that indirectly affect the
2 provisions applicable to this subchapter made by P.L. 103–296, P.L. 103–337, P.L.
3 103–465, P.L. 104–7, excluding section 1 of P.L. 104–7, P.L. 104–188, excluding
4 section 1311 of P.L. 104–188, P.L. 104–191, P.L. 104–193 and, P.L. 105–34, P.L.
5 105–206 and P.L. 105–277, apply for Wisconsin purposes at the same time as for
6 federal purposes.

7 **SECTION 1748t.** 71.42 (2) (i) of the statutes is amended to read:

8 71.42 (2) (i) For taxable years that begin after December 31, 1994, and before
9 January 1, 1996, “~~internal revenue code~~ Internal Revenue Code” means the federal
10 ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1994,
11 excluding sections 103, 104 and 110 of P.L. 102–227 and sections 13113, 13150 (d),
12 13171 (d), 13174 and 13203 (d) of P.L. 103–66, and as amended by P.L. 104–7, P.L.
13 104–188, excluding sections 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L.
14 104–191, P.L. 104–193 and, P.L. 105–34, P.L. 105–206 and P.L. 105–277, and as
15 indirectly affected by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L.
16 101–140, P.L. 101–179, P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections
17 103, 104 and 110 of P.L. 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding
18 sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L.
19 103–296, P.L. 103–337, P.L. 103–465, P.L. 104–7, P.L. 104–188, excluding sections
20 1202, 1204, 1311 and 1605 of P.L. 104–188, P.L. 104–191, P.L. 104–193 and, P.L.
21 105–34, P.L. 105–206 and P.L. 105–277, except that “~~internal revenue code~~ Internal
22 Revenue Code” does not include section 847 of the federal ~~internal revenue code~~
23 Internal Revenue Code. The ~~internal revenue code~~ Internal Revenue Code applies
24 for Wisconsin purposes at the same time as for federal purposes. Amendments to the
25 federal ~~internal revenue code~~ Internal Revenue Code enacted after

1 December 31, 1994, do not apply to this paragraph with respect to taxable years
2 beginning after December 31, 1994, and before January 1, 1996, except that
3 changes to the ~~internal revenue code~~ Internal Revenue Code made by P.L. 104-7, P.L.
4 104-188, excluding sections 1202, 1204, 1311 and 1605 of P.L. 104-188, P.L.
5 104-191, P.L. 104-193 and, P.L. 105-34, P.L. 105-206 and P.L. 105-277 and changes
6 that indirectly affect the provisions applicable to this subchapter made by P.L. 104-7,
7 P.L. 104-188, excluding sections 1202, 1204, 1311 and 1605 of P.L. 104-188, P.L.
8 104-191, P.L. 104-193 and, P.L. 105-34, P.L. 105-206 and P.L. 105-277, apply for
9 Wisconsin purposes at the same time as for federal purposes.

10 **SECTION 1748u.** 71.42 (2) (j) of the statutes is amended to read:

11 71.42 (2) (j) For taxable years that begin after December 31, 1995, and before
12 January 1, 1997, “~~internal revenue code~~ Internal Revenue Code” means the federal
13 ~~internal revenue code~~ Internal Revenue Code as amended to December 31, 1995,
14 excluding sections 103, 104 and 110 of P.L. 102-227 and sections 13113, 13150 (d),
15 13171 (d), 13174 and 13203 (d) of P.L. 103-66, and as amended by P.L. 104-188,
16 excluding sections 1123, 1202, 1204, 1311 and 1605 of P.L. 104-188, P.L. 104-191,
17 P.L. 104-193, P.L. 105-33 and, P.L. 105-34, P.L. 105-206 and P.L. 105-277, and as
18 indirectly affected by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L.
19 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections
20 103, 104 and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding
21 sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103-66, P.L.
22 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188, excluding sections
23 1123, 1202, 1204, 1311 and 1605 of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L.
24 105-33 and, P.L. 105-34, P.L. 105-206 and P.L. 105-277, except that “~~internal~~
25 ~~revenue code~~ Internal Revenue Code” does not include section 847 of the federal

1 ~~internal revenue code~~ Internal Revenue Code. The ~~internal revenue code~~ Internal
2 Revenue Code applies for Wisconsin purposes at the same time as for federal
3 purposes. Amendments to the federal ~~internal revenue code~~ Internal Revenue Code
4 enacted after December 31, 1995, do not apply to this paragraph with respect to
5 taxable years beginning after December 31, 1995, and before January 1, 1997,
6 except that changes to the Internal Revenue Code made by P.L. 104-188, excluding
7 sections 1123, 1202, 1204, 1311 and 1605 of P.L. 104-188, P.L. 104-191, P.L. 104-193,
8 P.L. 105-33 and, P.L. 105-34, P.L. 105-206 and P.L. 105-277, and changes that
9 indirectly affect the provisions applicable to this subchapter made by P.L. 104-188,
10 excluding sections 1123, 1202, 1204, 1311 and 1605 of P.L. 104-188, P.L. 104-191,
11 P.L. 104-193, P.L. 105-33 and, P.L. 105-34, P.L. 105-206 and P.L. 105-277, apply for
12 Wisconsin purposes at the same time as for federal purposes.

13 **SECTION 1748v.** 71.42 (2) (k) of the statutes is amended to read:

14 71.42 (2) (k) For taxable years that begin after December 31, 1996, and before
15 January 1, 1998, "Internal Revenue Code" means the federal Internal Revenue Code
16 as amended to December 31, 1996, excluding sections 103, 104 and 110 of P.L.
17 102-227, sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103-66 and
18 sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104-188, and as
19 amended by P.L. 105-33 and, P.L. 105-34, P.L. 105-206 and P.L. 105-277, and as
20 indirectly affected by P.L. 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L.
21 101-140, P.L. 101-179, P.L. 101-239, P.L. 101-508, P.L. 102-227, excluding sections
22 103, 104 and 110 of P.L. 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding
23 sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103-66, P.L.
24 103-296, P.L. 103-337, P.L. 103-465, P.L. 104-7, P.L. 104-188, excluding sections
25 1123 (b), 1202 (c) 1204 (f), 1311 and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L.

1 104–193, P.L. 105–33 and, P.L. 105–34, P.L. 105–206 and P.L. 105–277, except that
2 “Internal Revenue Code” does not include section 847 of the federal Internal Revenue
3 Code. The Internal Revenue Code applies for Wisconsin purposes at the same time
4 as for federal purposes. Amendments to the federal Internal Revenue Code enacted
5 after December 31, 1996, do not apply to this paragraph with respect to taxable years
6 beginning after December 31, 1996, and before January 1, 1998, except that
7 changes to the Internal Revenue Code made by P.L. 105–33 and, P.L. 105–34, P.L.
8 105–206 and P.L. 105–277 and changes that indirectly affect the provisions
9 applicable to this subchapter made by P.L. 105–33 and, P.L. 105–34, P.L. 105–206
10 and P.L. 105–277, apply for Wisconsin purposes at the same time as for federal
11 purposes.

12 **SECTION 1748w.** 71.42 (2) (L) of the statutes is amended to read:

13 71.42 (2) (L) For taxable years that begin after December 31, 1997, and before
14 January 1, 1999, “Internal Revenue Code” means the federal Internal Revenue Code
15 as amended to December 31, 1997, excluding sections 103, 104 and 110 of P.L.
16 102–227, sections 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66 and
17 sections 1123 (b), 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104–188, and as
18 amended by P.L. 105–178, P.L. 105–206 and P.L. 105–277, and as indirectly affected
19 by P.L. 99–514, P.L. 100–203, P.L. 100–647, P.L. 101–73, P.L. 101–140, P.L. 101–179,
20 P.L. 101–239, P.L. 101–508, P.L. 102–227, excluding sections 103, 104 and 110 of P.L.
21 102–227, P.L. 102–318, P.L. 102–486, P.L. 103–66, excluding sections 13113, 13150
22 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103–66, P.L. 103–296, P.L. 103–337, P.L.
23 103–465, P.L. 104–7, P.L. 104–188, excluding sections 1123 (b), 1202 (c) 1204 (f), 1311
24 and 1605 (d) of P.L. 104–188, P.L. 104–191, P.L. 104–193, P.L. 105–33 and, P.L.
25 105–34, P.L. 105–178, P.L. 105–206 and P.L. 105–277, except that “Internal Revenue

1 Code” does not include section 847 of the federal Internal Revenue Code. The
2 Internal Revenue Code applies for Wisconsin purposes at the same time as for federal
3 purposes. Amendments to the federal Internal Revenue Code enacted after
4 December 31, 1997, do not apply to this paragraph with respect to taxable years
5 beginning after December 31, 1997, and before January 1, 1999, except that
6 changes to the Internal Revenue Code made by P.L. 105-178, P.L. 105-206 and P.L.
7 105-277 and changes that indirectly affect the provisions applicable to this
8 subchapter made by P.L. 105-178, P.L. 105-206 and P.L. 105-277 apply for
9 Wisconsin purposes at the same time as for federal purposes.

10 **SECTION 1748x.** 71.42 (2) (m) of the statutes is created to read:

11 71.42 (2) (m) For taxable years that begin after December 31, 1998, “Internal
12 Revenue Code” means the federal Internal Revenue Code as amended to
13 December 31, 1998, excluding sections 103, 104 and 110 of P.L. 102-227, sections
14 13113, 13150 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103-66 and sections 1123 (b),
15 1202 (c), 1204 (f), 1311 and 1605 (d) of P.L. 104-188, and as indirectly affected by P.L.
16 99-514, P.L. 100-203, P.L. 100-647, P.L. 101-73, P.L. 101-140, P.L. 101-179, P.L.
17 101-239, P.L. 101-508, P.L. 102-227, excluding sections 103, 104 and 110 of P.L.
18 102-227, P.L. 102-318, P.L. 102-486, P.L. 103-66, excluding sections 13113, 13150
19 (d), 13171 (d), 13174 and 13203 (d) of P.L. 103-66, P.L. 103-296, P.L. 103-337, P.L.
20 103-465, P.L. 104-7, P.L. 104-188, excluding sections 1123 (b), 1202 (c) 1204 (f), 1311
21 and 1605 (d) of P.L. 104-188, P.L. 104-191, P.L. 104-193, P.L. 105-33, P.L. 105-34,
22 P.L. 105-178, P.L. 105-206 and P.L. 105-277, except that “Internal Revenue Code”
23 does not include section 847 of the federal Internal Revenue Code. The Internal
24 Revenue Code applies for Wisconsin purposes at the same time as for federal
25 purposes. Amendments to the federal Internal Revenue Code enacted after

1 December 31, 1998, do not apply to this paragraph with respect to taxable years
2 beginning after December 31, 1998.

3 **SECTION 1748y.** 71.43 (1) of the statutes is amended to read:

4 71.43 (1) INCOME TAX. For the purpose of raising revenue for the state and the
5 counties, cities, villages and towns, there shall be assessed, levied, collected and paid
6 a tax as provided under this chapter on all Wisconsin net incomes of corporations
7 ~~which that~~ are not subject to the franchise tax under sub. (2) and ~~which that~~ own
8 property within this state; that derive income from sources within this state or from
9 activities that are attributable to this state; or whose business within this state
10 during the taxable year, except as provided under s. 71.23 (3), consists exclusively
11 of foreign commerce, interstate commerce, or both, or that buy or sell lottery prizes
12 if the winning tickets were originally bought in this state; except as exempted under
13 ss. 71.26 (1) and 71.45 (1). This section shall not be construed to prevent or affect the
14 correction of errors or omissions in the assessments of income for former years under
15 s. 71.74 (1) and (2).

16 **SECTION 1748yb.** 71.43 (2) of the statutes is amended to read:

17 71.43 (2) FRANCHISE TAX ON CORPORATIONS. For the privilege of exercising its
18 franchise, buying or selling lottery prizes if the winning tickets were originally
19 bought in this state or doing business in this state in a corporate capacity, except as
20 provided under s. 71.23 (3), every domestic or foreign corporation, except
21 corporations specified in ss. 71.26 (1) and 71.45 (1), shall annually pay a franchise
22 tax according to or measured by its entire Wisconsin net income of the preceding
23 taxable year at the rates set forth in s. 71.46 (2). In addition, except as provided in
24 ss. 71.23 (3), 71.26 (1) and 71.45 (1), a corporation that ceases doing business in this
25 state shall pay a special franchise tax according to or measured by its entire

1 Wisconsin net income for the taxable year during which the corporation ceases doing
2 business in this state at the rate under s. 71.46 (2). Every corporation organized
3 under the laws of this state shall be deemed to be residing within this state for the
4 purposes of this franchise tax. All provisions of this chapter and ch. 73 relating to
5 income taxation of corporations shall apply to franchise taxes imposed under this
6 subsection, unless the context requires otherwise. The tax imposed by this
7 subsection on insurance companies subject to taxation under this chapter shall be
8 based on Wisconsin net income computed under s. 71.45, and no other provision of
9 this chapter relating to computation of taxable income for other corporations shall
10 apply to such insurance companies. All other provisions of this chapter shall apply
11 to insurance companies subject to taxation under this chapter unless the context
12 clearly requires otherwise.

13 **SECTION 1748ym.** 71.45 (1) of the statutes is amended to read:

14 71.45 (1) EXEMPT AND EXCLUDABLE INCOME. There shall be exempt from taxation
15 under this subchapter income of insurers exempt from federal income taxation
16 pursuant to section 501 (c) (15) of the internal revenue code, town mutuals organized
17 under or subject to ch. 612, foreign insurers, and domestic insurers engaged
18 exclusively in life insurance business, domestic insurers insuring against financial
19 loss by reason of nonpayment of principal, interest and other sums agreed to be paid
20 under the terms of any note or bond or other evidence of indebtedness secured by a
21 mortgage, deed of trust or other instrument constituting a lien or charge on real
22 estate and corporations organized under ch. 185, but not including income of
23 cooperative sickness care associations organized under s. 185.981, or of a service
24 insurance corporation organized under ch. 613, that is derived from a health
25 maintenance organization as defined in s. 609.01 (2) or a limited service health

1 organization as defined in s. 609.01 (3), or operating under subch. I of ch. 616 which
2 are bona fide cooperatives operated without pecuniary profit to any shareholder or
3 member, or operated on a cooperative plan pursuant to which they determine and
4 distribute their proceeds in substantial compliance with s. 185.45. This subsection
5 does not apply to income that is realized from the sale of or purchase and subsequent
6 sale or redemption of lottery prizes if the winning tickets were originally bought in
7 this state.

8 **SECTION 1749k.** 71.45 (2) (a) 10. of the statutes is amended to read:

9 71.45 (2) (a) 10. By adding to federal taxable income the amount of credit
10 computed under s. 71.47 (1dd) to ~~(1dx)~~ (1dy) and not passed through by a
11 partnership, limited liability company or tax-option corporation that has added that
12 amount to the partnership's, limited liability company's or tax-option corporation's
13 income under s. 71.21 (4) or 71.34 (1) (g) and the amount of credit computed under
14 s. 71.47 (1), (3), (4) and (5).

15 **SECTION 1749m.** 71.45 (2) (a) 13. of the statutes is amended to read:

16 71.45 (2) (a) 13. By adding or subtracting, as appropriate, the difference
17 between the depreciation deduction under the federal Internal Revenue Code as
18 amended to December 31, 1997 1998 and the depreciation deduction under the
19 federal Internal Revenue Code in effect for the taxable year for which the return is
20 filed, so as to reflect the fact that the insurer may choose between these 2 deductions,
21 except that property first placed in service by the taxpayer on or after
22 January 1, 1983, but before January 1, 1987, that, under s. 71.04 (15) (b) and (br),
23 1985 stats., is required to be depreciated under the Internal Revenue Code as
24 amended to December 31, 1980, and property first placed in service in taxable year
25 1981 or thereafter but before January 1, 1987, that, under s. 71.04 (15) (bm), 1985

1 stats., is required to be depreciated under the Internal Revenue Code as amended
2 to December 31, 1980, shall continue to be depreciated under the Internal Revenue
3 Code as amended to December 31, 1980.

4 **SECTION 1749p.** 71.45 (2) (a) 15. of the statutes is created to read:

5 71.45 (2) (a) 15. By subtracting from federal taxable income all income that is
6 realized from the purchase and subsequent sale or redemption of lottery prizes that
7 is treated as nonapportionable income under sub. (3r).

8 **SECTION 1753d.** 71.45 (3r) of the statutes is created to read:

9 71.45 (3r) ALLOCATION OF CERTAIN PROCEEDS. All income that is realized from
10 the purchase and subsequent sale or redemption of lottery prizes if the winning
11 tickets were originally bought in this state shall be allocated to this state.

12 **SECTION 1753g.** 71.45 (6) of the statutes is created to read:

13 71.45 (6) PARTNERSHIPS AND LIMITED LIABILITY COMPANIES. (a) A general or
14 limited partner's share of the numerator and denominator of a partnership's
15 apportionment fractions under this section are included in the numerator and
16 denominator of the general or limited partner's apportionment fractions under this
17 section.

18 (b) If a limited liability company is considered by the department of revenue
19 to be a partnership, for tax purposes, a member's share of the numerator and
20 denominator of a limited liability company's apportionment fractions under this
21 section are included in the numerator and denominator of the member's
22 apportionment fractions under this section.

23 **SECTION 1753m.** 71.46 (3) of the statutes is amended to read:

24 71.46 (3) The tax imposed under this subchapter on each domestic insurer on
25 or measured by its entire net income attributable to lines of insurance in this state

1 may not exceed 2% of the gross premiums, as defined in s. 76.62, received during the
2 taxable year by the insurer on all policies on those lines of insurance if the subject
3 of that insurance was resident, located or to be performed in this state plus 7.9% of
4 the income that is realized from the sale of or purchase and subsequent sale or
5 redemption of lottery prizes if the winning tickets were originally bought in this
6 state.

7 **SECTION 1754g.** 71.47 (1di) (a) (intro.) of the statutes is amended to read:

8 71.47 (1di) (a) (intro.) Except as provided in pars. (dm) and (f) and s. 73.03 (35),
9 for any taxable year for which the person is ~~certified under s. 560.765 (3) for~~ entitled
10 under s. 560.795 (3) to claim tax benefits, any person may claim as a credit against
11 taxes otherwise due under this chapter 2.5% of the purchase price of depreciable,
12 tangible personal property, or 1.75% of the purchase price of depreciable, tangible
13 personal property that is expensed under section 179 of the internal revenue code for
14 purposes of the taxes under this chapter, except that:

15 **SECTION 1754h.** 71.47 (1di) (a) 1. of the statutes is amended to read:

16 71.47 (1di) (a) 1. The investment must be in property that is purchased after
17 the person is ~~certified under s. 560.765 (3) for~~ entitled under s. 560.795 (3) to claim
18 tax benefits and that is used for at least 50% of its use in the conduct of the person's
19 business operations ~~for which the claimant is certified under s. 560.765 (3) at a~~
20 location in a development zone under subch. VI of ch. 560 or, if the property is mobile,
21 the base of operations of the property for at least 50% of its use must be a location
22 in a development zone.

23 **SECTION 1754j.** 71.47 (1di) (d) 1. of the statutes is amended to read:

1 71.47 (1di) (d) 1. A copy of ~~the claimant's certification for a verification from~~
2 ~~the department of commerce that the claimant may claim~~ tax benefits under s.
3 ~~560.765 (3) 560.795 (3).~~

4 **SECTION 1754k.** 71.47 (1di) (f) of the statutes is amended to read:

5 71.47 (1di) (f) If ~~the certification of a person for who is entitled under s. 560.795~~
6 ~~(3) to claim~~ tax benefits under s. ~~560.765 (3) is revoked~~ becomes ineligible for such
7 tax benefits, that person may claim no credits under this subsection for the taxable
8 year that includes the day on which ~~the certification is revoked~~ person becomes
9 ineligible for tax benefits or succeeding taxable years and that person may carry over
10 no unused credits from previous years to offset tax under this chapter for the taxable
11 year that includes the day on which ~~certification is revoked~~ the person becomes
12 ineligible for tax benefits or succeeding taxable years.

13 **SECTION 1754L.** 71.47 (1di) (g) of the statutes is amended to read:

14 71.47 (1di) (g) If a person who is ~~certified under s. 560.765 (3) for entitled under~~
15 ~~s. 560.795 (3) to claim~~ tax benefits ceases business operations in the development
16 zone during any of the taxable years that that zone exists, that person may not carry
17 over to any taxable year following the year during which operations cease any
18 unused credits from the taxable year during which operations cease or from previous
19 taxable years.

20 **SECTION 1754m.** 71.47 (1di) (i) of the statutes is amended to read:

21 71.47 (1di) (i) No credit may be claimed under this subsection for taxable years
22 that begin ~~on January 1, 1998, or thereafter~~ after December 31, 1997, and end
23 before January 1, 2000. Credits under this subsection for taxable years that begin
24 before January 1, 1998, may be carried forward to taxable years that begin on
25 January 1, 1998, or thereafter.

1 **SECTION 1754t.** 71.47 (1dj) (am) 1. of the statutes is amended to read:

2 71.47 **(1dj)** (am) 1. Modify “member of a targeted group”, as defined in section
3 51 (d) of the internal revenue code as amended to December 31, 1995, to include
4 persons unemployed as a result of a business action subject to s. 109.07 (1m) and
5 ~~persons specified under 29 USC 1651 (a) dislocated workers, as defined in 29 USC~~
6 2801 (9), and to require a member of a targeted group to be a resident of this state.

7 **SECTION 1754v.** 71.47 (1dj) (am) 2. of the statutes is amended to read:

8 71.47 **(1dj)** (am) 2. Modify “designated local agency”, as defined in section 51
9 (d) (15) of the internal revenue code, to include the ~~job-training partnership-act~~
10 ~~organization~~ local workforce development board established under 29 USC 2832 for
11 the area that includes the development zone in which the employe in respect to whom
12 the credit under this subsection is claimed works, if the department of commerce
13 approves the criteria used for certification, and the department of commerce.

14 **SECTION 1755.** 71.47 (1dj) (am) 3. of the statutes is amended to read:

15 71.47 **(1dj)** (am) 3. Modify the rule for certification under section 51 (d) (16) (A)
16 of the internal revenue code to allow certification within the ~~90-day~~ period beginning
17 with the first day of employment of the employe ~~by the claimant~~.

18 **SECTION 1755g.** 71.47 (1dx) (b) (intro.) of the statutes is amended to read:

19 71.47 **(1dx)** (b) *Credit.* (intro.) Except or provided in s. 73.03 (35) and subject
20 to s. 560.785, for any taxable year for which the person is entitled under s. 560.795
21 (3) to claim tax benefits or certified under s. 560.765 (3) or 560.797 (4), any person
22 may claim as a credit against taxes imposed on the person's income from the person's
23 business activities in a development zone under this subchapter the following
24 amounts:

25 **SECTION 1756.** 71.47 (1dx) (b) 4. of the statutes is amended to read:

1 71.47 **(1dx)** (b) 4. The amount determined by multiplying the amount
2 determined under s. 560.785 (1) ~~(b)~~ (bm) by the number of full-time jobs retained,
3 as provided in the rules under s. 560.785, excluding jobs for which a credit has been
4 claimed under sub. (1dj), in a an enterprise development zone under s. 560.797 and
5 filled by a member of a targeted group for which significant capital investment was
6 made and by then subtracting the subsidies paid under s. 49.147 (3) (a) for those jobs.

7 **SECTION 1756d.** 71.47 (1dx) (c) of the statutes is amended to read:

8 71.47 **(1dx)** (c) *Credit precluded.* If the certification of a person for tax benefits
9 under s. 560.765 (3) or 560.797 (4) is revoked, or if the person becomes ineligible for
10 tax benefits under s. 560.795 (3). that person may not claim credits under this
11 subsection for the taxable year that includes the day on which the certification is
12 revoked; the taxable year that includes the day on which the person becomes
13 ineligible for tax benefits; or succeeding taxable years and that person may not carry
14 over unused credits from previous years to offset tax under this chapter for the
15 taxable year that includes the day on which certification is revoked; the taxable year
16 that includes the day on which the person becomes ineligible for tax benefits; or
17 succeeding taxable years.

18 **SECTION 1756e.** 71.47 (1dx) (d) of the statutes is amended to read:

19 71.47 **(1dx)** (d) *Carry-over precluded.* If a person who is entitled under s.
20 560.795 (3) to claim tax benefits or certified under s. 560.765 (3) or 560.797 (4) for tax
21 benefits ceases business operations in the development zone during any of the
22 taxable years that that zone exists, that person may not carry over to any taxable
23 year following the year during which operations cease any unused credits from the
24 taxable year during which operations cease or from previous taxable years.

25 **SECTION 1756h.** 71.47 (1dy) of the statutes is created to read:

1 71.47 **(1dy)** SUSTAINABLE URBAN DEVELOPMENT ZONE CREDIT. (a) *Definitions.* In
2 this subsection:

3 1. “Brownfield” has the meaning given in sub. (1dx) (a) 1.

4 2. “Environmental remediation” means removal or containment of
5 environmental pollution, as defined in s. 299.01 (4), and restoration of soil or
6 groundwater that is affected by environmental pollution, as defined in s. 299.01 (4),
7 in a brownfield and investigation unless the investigation determines that
8 remediation is required but remediation is not undertaken.

9 (b) *Credit.* For any taxable year for which the person is certified under s. 292.77
10 (5), a person may claim as a credit against taxes imposed under this subchapter 50%
11 of the amount expended for environmental remediation under the program under s.
12 292.77.

13 (c) *Administration.* Subsection (1dx) (c), (d) and (e), as it applies to the credit
14 under sub. (1dx), applies to the credit under this subsection.

15 **SECTION 1757bd.** 71.47 (2m) (b) 1. a. of the statutes is amended to read:

16 71.47 **(2m)** (b) 1. a. Subject to the limitations provided in this subsection and
17 s. 71.80 (3) and (3m), a claimant may claim as a credit against Wisconsin income or
18 franchise taxes otherwise due, the amount derived under par. (c). If the allowable
19 amount of claim exceeds the income or franchise taxes otherwise due on or measured
20 by the claimant’s income or if there are no Wisconsin income or franchise taxes due
21 on or measured by the claimant’s income, the amount of the claim not used as an
22 offset against income or franchise taxes shall be certified to the department of
23 administration for payment to the claimant by check, share draft or other draft paid
24 from the ~~appropriation~~ appropriations under s. 20.835 (2) ~~(q)~~ (dn) and (ka).

1 **SECTION 1757be.** 71.47 (2m) (b) 1. a. of the statutes, as affected by 1999
2 Wisconsin Act (this act), is repealed and recreated to read:

3 71.47 **(2m)** (b) 1. a. Subject to the limitations provided in this subsection and
4 s. 71.80 (3) and (3m), a claimant may claim as a credit against Wisconsin income
5 taxes otherwise due, the amount derived under par. (c). If the allowable amount of
6 claim exceeds the income taxes otherwise due on the claimant's income or if there are
7 no Wisconsin income taxes due on the claimant's income, the amount of the claim not
8 used as an offset against income taxes shall be certified to the department of
9 administration for payment to the claimant by check, share draft or other draft paid
10 from the appropriations under s. 20.835 (2) (ka) and (q).

11 **SECTION 1744bf.** 71.47 (2m) (c) 3. of the statutes, as created by Wisconsin Act
12 5, is amended to read:

13 71.47 **(2m)** (c) 3. The department shall annually adjust the percentage that is
14 used to determine the amount of a claim under subd. 1. based on the estimated
15 number of claims and the amount estimated to be expended from the appropriation
16 under s. 20.835 (2) ~~(q)~~ (dn), as determined under s. 79.13. The department shall
17 incorporate the annually adjusted percentage into the income tax forms and
18 instructions.

19 **SECTION 1744bg.** 71.47 (2m) (c) 3. of the statutes, as affected by 1999 Wisconsin
20 Act (this act), is repealed and recreated to read:

21 71.47 **(2m)** (c) 3. The department shall annually adjust the percentage that is
22 used to determine the amount of a claim under subd. 1. based on the estimated
23 number of claims and the amount estimated to be expended from the appropriation
24 under s. 20.835 (2) (q), as determined under s. 79.13. The department shall

1 incorporate the annually adjusted percentage into the income tax forms and
2 instructions.

3 **SECTION 1760q.** 71.49 (1) (eon) of the statutes is created to read:

4 71.49 (1) (eon) Sustainable urban development zone credit under s. 71.47 (1dy).

5 **SECTION 1762.** 71.54 (1) (d) (intro.) of the statutes is amended to read:

6 71.54 (1) (d) *1991 and thereafter to 1999.* (intro.) The amount of any claim filed
7 in 1991 ~~and thereafter~~ to 1999 and based on property taxes accrued or rent
8 constituting property taxes accrued during the previous year is limited as follows:

9 **SECTION 1763.** 71.54 (1) (e) of the statutes is created to read:

10 71.54 (1) (e) *2000.* The amount of any claim filed in 2000 and based on property
11 taxes accrued or rent constituting property taxes accrued during the previous year
12 is limited as follows:

13 1. If the household income was \$8,000 or less in the year to which the claim
14 relates, the claim is limited to 80% of the property taxes accrued or rent constituting
15 property taxes accrued or both in that year on the claimant's homestead.

16 2. If the household income was more than \$8,000 in the year to which the claim
17 relates, the claim is limited to 80% of the amount by which the property taxes accrued
18 or rent constituting property taxes accrued or both in that year on the claimant's
19 homestead exceeds 11.8% of the household income exceeding \$8,000.

20 3. No credit may be allowed if the household income of a claimant exceeds
21 \$20,290.

22 **SECTION 1763c.** 71.54 (1) (f) of the statutes is created to read:

23 71.54 (1) (f) *2001 and thereafter.* The amount of any claim filed in 2001 and
24 thereafter and based on property taxes accrued or rent constituting property taxes
25 accrued during the previous year is limited as follows:

1 1. If the household income was \$8,000 or less in the year to which the claim
2 relates, the claim is limited to 80% of the property taxes accrued or rent constituting
3 property taxes accrued or both in that year on the claimant's homestead.

4 2. If the household income was more than \$8,000 in the year to which the claim
5 relates, the claim is limited to 80% of the amount by which the property taxes accrued
6 or rent constituting property taxes accrued or both in that year on the claimant's
7 homestead exceeds 8.788% of the household income exceeding \$8,000.

8 3. No credit may be allowed if the household income of a claimant exceeds
9 \$24,500.

10 **SECTION 1764.** 71.54 (2) (a) (intro.) of the statutes is amended to read:

11 71.54 **(2)** (a) (intro.) Property taxes accrued or rent constituting property taxes
12 accrued shall be reduced by one-twelfth for each month or portion of a month for
13 which the claimant received relief from any county under s. 59.53 (21) equal to or in
14 excess of \$400, participated in Wisconsin works under s. 49.147 (4) or (5) or 49.148
15 (1m) or received assistance under s. 49.19, except assistance received:

16 **SECTION 1784.** 71.64 (9) (b) of the statutes is renumbered 71.64 (9) (b) (intro.)
17 and amended to read:

18 71.64 **(9)** (b) (intro.) The department shall from time to time adjust the
19 withholding tables to reflect any changes in income tax rates, any applicable surtax
20 or any changes in dollar amounts in s. 71.06 (1), (1m), (1n), (1p) and (2) resulting from
21 statutory changes, except that the as follows:

22 1. The department may not adjust the withholding tables to reflect the changes
23 in rates in s. 71.06 (1m) and (2) (c) and (d) and any changes in dollar amounts with
24 respect to bracket indexing under s. 71.06 (2e), with respect to changes in rates under

1 s. 71.06 (1m) and (2) (c) and (d), and with respect to standard deduction indexing
2 under s. 71.05 (22) (ds) for any taxable year that begins before January 1, 2000.

3 (c) The tables shall account for the working families tax credit under s. 71.07
4 (5m). The tables shall be extended to cover from zero to 10 withholding exemptions,
5 shall assume that the payment of wages in each pay period will, when multiplied by
6 the number of pay periods in a year, reasonably reflect the annual wage of the
7 employe from the employer and shall be based on the further assumption that the
8 annual wage will be reduced for allowable deductions from gross income. The
9 department may determine the length of the tables and a reasonable span for each
10 bracket. In preparing the tables the department shall adjust all withholding
11 amounts not an exact multiple of 10 cents to the next highest figure that is a multiple
12 of 10 cents. The department shall also provide instructions with the tables for
13 withholding with respect to quarterly, semiannual and annual pay periods.

14 **SECTION 1785.** 71.64 (9) (b) 2. of the statutes is created to read:

15 71.64 **(9)** (b) 2. The department shall adjust the withholding tables to reflect
16 the changes in rates in s. 71.06 (1n), (1p) and (2) (e), (f), (g) and (h) and any changes
17 in dollar amounts with respect to bracket indexing, with respect to changes in rates
18 under s. 71.06 (1p) and (2) (g) and (h) on July 1, 2000.

19 **SECTION 1786.** 71.67 (4) (a) of the statutes is amended to read:

20 71.67 **(4)** (a) The administrator of the lottery division in the department under
21 ch. 565 shall withhold from any lottery prize of \$2,000 or more an amount determined
22 by multiplying the amount of the prize by the highest rate applicable to individuals
23 ~~under s. 71.06 (1) or (1m)~~ the person who claims the prize. The administrator shall
24 deposit the amounts withheld, on a monthly basis, as would an employer depositing
25 under s. 71.65 (3) (a).

1 **SECTION 1787.** 71.67 (5) (a) of the statutes is amended to read:

2 71.67 **(5)** (a) *Wager winnings.* A person holding a license to sponsor and
3 manage races under s. 562.05 (1) (b) or (c) shall withhold from the amount of any
4 payment of pari-mutuel winnings under s. 562.065 (3) (a) or (3m) (a) an amount
5 determined by multiplying the amount of the payment by the highest rate applicable
6 to individuals under s. 71.06 (1) (a) to (c) ~~or~~, (1m), (1n) or (1p) if the amount of the
7 payment is more than \$1,000.

8 **SECTION 1788.** 71.75 (8) of the statutes is amended to read:

9 71.75 **(8)** A refund payable on the basis of a separate return shall be issued to
10 the person who filed the return. A refund payable on the basis of a joint return shall
11 be issued jointly to the persons who filed the return, except that, if a judgment of
12 divorce under ch. 767 apportions any refund that may be due the formerly married
13 persons to one of the former spouses, or between the spouses, and if they include with
14 their income tax return a copy of that portion of the judgment of divorce that relates
15 to the apportionment of their tax refund, the department shall issue the refund to
16 the person to whom the refund is awarded under the terms of the judgment of divorce
17 or the department shall issue one check to each of the former spouses according to
18 the apportionment terms of the judgment.

19 **SECTION 1797k.** 73.03 (2a) of the statutes is amended to read:

20 73.03 **(2a)** To prepare, have published and distribute to each property tax
21 assessor and to others who so request assessment manuals. The manual shall
22 discuss and illustrate accepted assessment methods, techniques and practices with
23 a view to more nearly uniform and more consistent assessments of property at the
24 local level. The manual shall be amended by the department from time to time to
25 reflect advances in the science of assessment, court decisions concerning assessment

1 practices, costs, and statistical and other information considered valuable to local
2 assessors by the department. The manual shall incorporate standards for the
3 assessment of all types of renewable energy resource systems used in this state as
4 soon as such systems are used in sufficient numbers and sufficient data exists to
5 allow the formulation of valid guidelines. The manual shall incorporate standards,
6 which the department of revenue and the state historical society of Wisconsin shall
7 develop, for the assessment of nonhistoric property in historic districts and for the
8 assessment of historic property, including but not limited to property that is being
9 preserved or restored; property that is subject to a protective easement, covenant or
10 other restriction for historic preservation purposes; property that is listed in the
11 national register of historic places in Wisconsin or in this state's register of historic
12 places and property that is designated as a historic landmark and is subject to
13 restrictions imposed by a municipality or by a landmarks commission. The manual
14 shall incorporate general guidelines about ways to determine whether property is
15 taxable in part under s. 70.1105 and examples of the ways that s. 70.1105 applies in
16 specific situations. The manual shall state that assessors are required to comply
17 with s. 70.32 (1g) and shall suggest procedures for doing so. The manual or a
18 supplement to it shall specify per acre value guidelines for each municipality for
19 various categories of agricultural land based on the income that could be generated
20 from its estimated rental for agricultural use, as defined by rule, and capitalization
21 rates established by rule. The manual or a supplement to it shall not specify per acre
22 value guidelines for each municipality unless such guidelines are based on
23 procedures that are established by rule. The manual shall include guidelines for
24 classifying land as agricultural land, as defined in s. 70.32 (2) (c) 1. and guidelines
25 for distinguishing between land and improvements to land. The cost of the

1 development, preparation, publication and distribution of the manual and of
2 revisions and amendments to it shall be borne by the assessors and requesters at an
3 individual volume cost or a subscription cost as determined by the department. All
4 receipts shall be credited to the appropriation under s. 20.566 (2) (hi). The
5 department may provide free assessment manuals to other state agencies or
6 exchange them at no cost with agencies of other states or of the federal government
7 for similar information or publications.

8 **SECTION 1797m.** 73.03 (33m) of the statutes is amended to read:

9 73.03 (**33m**) To collect, as taxes under ch. 71 are collected, from each person
10 who owes to the department of revenue delinquent taxes, fees, interest or penalties,
11 a fee for each delinquent account equal to \$35 or 6.5% of the taxes, fees, interest and
12 penalties owed as of the due date specified in the assessment, notice of amount due
13 or notice of redetermination on that account, whichever is greater. The department
14 of revenue shall deposit into the general fund as general purpose revenue—earned all
15 fees collected under this subsection.

16 **SECTION 1797p.** 73.03 (33p) of the statutes is created to read:

17 73.03 (**33p**) To collect, as taxes under ch. 71 are collected, from each person who
18 owes to the department of revenue delinquent taxes, fees, interest or penalties, a \$20
19 fee for each delinquent taxpayer who enters into an agreement with the department
20 of revenue to pay in instalments the taxpayer's delinquent taxes, including fees,
21 interest or penalties and to collect costs incurred to the department of revenue for
22 court actions that are related to the collection of delinquent taxes. The department
23 of revenue shall deposit into the general fund as general purpose revenue—earned all
24 fees and costs collected under this subsection.

25 **SECTION 1798.** 73.03 (35) of the statutes is amended to read:

1 73.03 **(35)** To deny a portion of a credit claimed under s. 71.07 (2dd), (2de), (2di),
2 (2dj), (2dL), (2dr), (2ds) ~~or~~, (2dx) or (2dy), 71.28 (1dd), (1de), (1di), (1dj), (1dL), (1ds),
3 (1dx), (2dy) or (4) (am) or 71.47 (1dd), (1de), (1di), (1dj), (1dL), (1ds), (1dx), (2dy) or
4 (4) (am) if granting the full amount claimed would violate ~~the~~ a requirement under
5 s. ~~560.797 (4) (e)~~ 560.785 or would bring the total of the credits granted to that
6 claimant under s. ~~560.797 (4) (e)~~, ~~or the total of the credits granted to that claimant~~
7 ~~under~~ all of those subsections, over the limit for that claimant under s. 560.768,
8 560.795 (2) (b) or 560.797 (5) (b).

9 **SECTION 1798m.** 73.03 (49) (b) of the statutes is repealed.

10 **SECTION 1798r.** 73.03 (50) of the statutes is renumbered 73.03 (50) (intro.) and
11 amended to read:

12 73.03 **(50)** (intro.) With the approval of the joint committee on finance, to
13 establish fees for obtaining a business tax registration certificate, which, except as
14 provided in s. 73.0302, is valid for 2 years, and for renewing that certificate and,
15 except as provided in s. 73.0302, shall issue and renew those certificates if the person
16 who wishes to obtain or renew a certificate ~~applies~~ does all of the following:

17 (a) Applies on a form that the department prescribes; ~~sets.~~

18 (b) Sets forth the name under which the applicant intends to operate, the
19 location of the applicant's place of operations, ~~the social security number of the~~
20 applicant ~~if the applicant is a natural person~~ and the other information that the
21 department requires; ~~and, in.~~

22 (d) In the case of a sole proprietor, signs the form or, in the case of other persons,
23 has an individual who is authorized to act on behalf of the person sign the form, or,
24 in the case of a single-owner entity that is disregarded as a separate entity under
25 section 7701 of the Internal Revenue Code, the person is the owner.

1 **SECTION 1798s.** 73.03 (50) (c) of the statutes is created to read:

2 73.03 **(50)** (c) In the case of an applicant who is an individual and who has a
3 social security number, sets forth the social security number of the applicant or, in
4 the case of an applicant who is an individual and who does not have a social security
5 number, submits a statement made or subscribed under oath or affirmation that the
6 applicant does not have a social security number. The form of the statement shall
7 be prescribed by the department of workforce development. A certificate issued in
8 reliance upon a false statement submitted under this paragraph is invalid.

9 **SECTION 1798t.** 73.0301 (1) (d) 2. of the statutes is amended to read:

10 73.0301 **(1)** (d) 2. A license issued by the department of health and family
11 services under s. 48.66 (1) (a) to a child welfare agency, group home, shelter care
12 facility or day care center, as required by s. 48.60, 48.625, 48.65 or 938.22 (7).

13 **SECTION 1798u.** 73.0301 (1) (d) 6. of the statutes is amended to read:

14 73.0301 **(1)** (d) 6. A license or certificate of registration issued by the
15 department of financial institutions, or a division of it, under s. 138.09, 138.12,
16 217.06, 218.01, 218.02, 218.04, 218.05 ~~or~~, 224.72, 224.93 or under subch. III of ch.
17 551.

18 **SECTION 1798w.** 73.0301 (2) (c) 1. a. of the statutes is amended to read:

19 73.0301 **(2)** (c) 1. a. If the license holder is an individual and has a social
20 security number, the license holder's social security number.

21 **SECTION 1798x.** 73.0301 (2) (c) 1. am. of the statutes is created to read:

22 73.0301 **(2)** (c) 1. am. If the applicant is an individual and does not have a social
23 security number, a statement made or subscribed under oath or affirmation that the
24 applicant does not have a social security number. The form of the statement shall

1 be prescribed by the department of workforce development. A license issued in
2 reliance upon a false statement submitted under this subd. 1. am. is invalid.

3 **SECTION 1798y.** 73.0301 (2) (c) 2. of the statutes is amended to read:

4 73.0301 (2) (c) 2. A licensing department may not disclose any information
5 received under subd. 1. a. or b. to any person except to the department of revenue for
6 the sole purpose of requesting certifications under par. (b) 2. in accordance with the
7 memorandum of understanding under sub. (4) or to the department of workforce
8 development for the purpose of administering s. 49.22.

9 **SECTION 1801m.** 73.0305 of the statutes is amended to read:

10 **73.0305 Revenue limits and intradistrict transfer aid calculations.** The
11 department of revenue shall annually determine and certify to the state
12 superintendent of public instruction, no later than the 4th Monday in June, the
13 allowable rate of increase ~~for the limit imposed under s. 121.85 (6) (ar) and~~ subch.
14 VII of ch. 121. ~~For that limit, the~~ The allowable rate of increase is the percentage
15 change in the consumer price index for all urban consumers, U.S. city average,
16 between the preceding March 31 and the 2nd preceding March 31, as computed by
17 the federal department of labor.

18 **SECTION 1801n.** 74.48 (1) of the statutes is renumbered 74.48 (1) (a) and
19 amended to read:

20 74.48 (1) (a) If a person who owns land that has been valued under s. 70.32 (2r)
21 (b) is sold by a person who has owned it for less than 5 years and who has benefited
22 ~~from a value lower than that established by~~ changes the use of the land so that the
23 land is not valued under s. 70.32 (2r) (a), there is imposed on that person a penalty
24 equal to 5% of the difference between the sale price of the agricultural land and the
25 ~~value that would be established for it under s. 70.32 (2r) (c) during~~ property taxes

1 that would have been levied on the land if the land had been assessed at full market
2 value and the property taxes levied on the land for the last year of the person's
3 ownership 2 years that the land has been valued under s. 70.32 (2r).

4 **SECTION 1801p.** 74.48 (1) (b) of the statutes is created to read:

5 74.48 (1) (b) A person who owns land that has been valued under s. 70.32 (2r)
6 and who sells the land, shall notify the buyer of the land that the land has been
7 valued under s. 70.32 (2r).

8 **SECTION 1801r.** 74.48 (2) of the statutes is amended to read:

9 74.48 (2) Any amount due under sub. (1) shall be paid to the department of
10 revenue taxation district in which the land as described in sub. (1) is located. The
11 taxation district shall distribute the amount to the taxing jurisdictions in which the
12 land is located in proportion to the taxes levied by the taxing jurisdictions during the
13 2 years that the land has been valued under s. 70.32 (2r).

14 **SECTION 1801s.** 74.48 (3) of the statutes is amended to read:

15 74.48 (3) The department of revenue taxation district in which the land as
16 described in sub. (1) is located shall administer the penalty under this section.

17 **SECTION 1806.** 75.17 of the statutes is created to read:

18 **75.17 Transfer of contaminated land to a municipality. (1)** In this
19 section:

20 (a) "Hazardous substance" has the meaning given in s. 292.01 (5).

21 (b) "Municipality" means a city, village or town.

22 **(2)** If a county does not take a tax deed for property that is subject to a tax
23 certificate and that is contaminated by a hazardous substance, within 2 years after
24 the expiration of the redemption period that is described under s. 75.14 (1) and
25 specified in s. 74.57 (2) (a) and (b) (intro.), the county shall take a tax deed for such

1 property upon receiving a written request to do so from the municipality in which the
2 property is located. The county may then retain ownership of the property or, if the
3 county does not wish to retain ownership of the property, the county shall transfer
4 ownership of the property to the municipality, for no consideration, within 180 days
5 after receiving the written request from the municipality.

6 **SECTION 1807.** 76.025 (1) of the statutes is amended to read:

7 76.025 (1) The property taxable under s. 76.13 shall include all franchises, and
8 all real and personal property of the company used or employed in the operation of
9 its business, ~~except excluding property that is exempt from the property tax under~~
10 ~~s. 70.11 (39).~~ such motor vehicles as are exempt under s. 70.112 (5) and treatment
11 plant and pollution abatement equipment exempt under s. 70.11 (21) (a). The
12 taxable property shall include all title and interest of the company referred to in such
13 property as owner, lessee or otherwise, and in case any portion of the property is
14 jointly used by 2 or more companies, the unit assessment shall include and cover a
15 proportionate share of that portion of the property jointly used so that the
16 assessments of the property of all companies having any rights, title or interest of
17 any kind or nature whatsoever in any such property jointly used shall, in the
18 aggregate, include only one total full value of such property.

19 **SECTION 1808.** 76.03 (1) of the statutes is amended to read:

20 76.03 (1) The property, both real and personal, including all rights, franchises
21 and privileges used in and necessary to the prosecution of the business ~~and including~~
22 ~~property that is exempt from the property tax under s. 70.11 (39)~~ of any company
23 enumerated in s. 76.02 shall be deemed personal property for the purposes of
24 taxation, and shall be valued and assessed together as a unit.

25 **SECTION 1809b.** 76.28 (1) (d) of the statutes is amended to read:

1 76.28 (1) (d) “Gross revenues” for a light, heat and power company other than
2 a qualified wholesale electric company or a transmission company means total
3 operating revenues as reported to the public service commission except revenues for
4 interdepartmental sales and for interdepartmental rents as reported to the public
5 service commission and deductions from the sales and use tax under s. 77.61 (4),
6 except that the company may subtract from revenues either the actual cost of power
7 purchased for resale, as reported to the public service commission, by a light, heat
8 and power company, except a municipal light, heat and power company, that
9 purchases under federal or state approved wholesale rates more than 50% of its
10 electric power from a person other than an affiliated interest, as defined in s. 196.52
11 (1), if the revenue from that purchased electric power is included in the seller’s gross
12 revenues or the following percentages of the actual cost of power purchased for
13 resale, as reported to the public service commission, by a light, heat and power
14 company, except a municipal light, heat and power company that purchases more
15 than 90% of its power and that has less than \$50,000,000 of gross revenues: 10% for
16 the fee assessed on May 1, 1988, 30% for the fee assessed on May 1, 1989, and 50%
17 for the fee assessed on May 1, 1990, and thereafter. For a qualified wholesale electric
18 company, “gross revenues” means total business revenues from those businesses
19 included under par. (e) 1. to 4. For a transmission company, “gross revenues” means
20 total operating revenues as reported to the public service commission, except
21 revenues for transmission service that is provided to a public utility that is subject
22 to the license fee under sub. (2) (d), to a public utility, as defined in s. 196.01 (5), or
23 to a cooperative association organized under ch. 185 for the purpose of providing
24 electricity to its members only. For an electric utility, as defined in s. 16.957 (1) (g),
25 “gross revenues” does not include public benefits fees collected by the electric utility

1 under s. 16.957 (4) (a) or (5) (a). For a generator public utility, “gross revenues” does
2 not include any grants awarded to the generator public utility under s. 16.958 (2) (b).
3 For a wholesale supplier, as defined in s. 16.957 (1) (w), “gross revenues” does not
4 include any public benefits fees that are received from a municipal utility or retail
5 electric cooperative or under a joint program established under s. 16.957 (5) (f). For
6 a municipal utility, “gross revenues” does not include public benefits fees received by
7 the municipal utility from a municipal utility or retail electric cooperative under a
8 joint program established under s. 16.957 (5) (f).

9 **SECTION 1809f.** 76.28 (1) (e) (intro.) of the statutes is amended to read:

10 76.28 (1) (e) (intro.) “Light, heat and power companies” means any person,
11 association, company or corporation, including corporations described in s. 66.069 (2)
12 ~~and including~~, qualified wholesale electric companies and transmission companies
13 and except only business enterprises carried on exclusively either for the private use
14 of the person, association, company or corporation engaged in them, or for the private
15 use of a person, association, company or corporation owning a majority of all
16 outstanding capital stock or who control the operation of business enterprises and
17 except electric cooperatives taxed under s. 76.48 that engage in any of the following
18 businesses:

19 **SECTION 1809g.** 76.28 (1) (e) 5. of the statutes is created to read:

20 76.28 (1) (e) 5. Transmitting electric current for light, heat or power.

21 **SECTION 1809h.** 76.28 (1) (eg) of the statutes is created to read:

22 76.28 (1) (eg) “Municipal utility” has the meaning given in s. 16.957 (1) (q).

23 **SECTION 1809j.** 76.28 (1) (gr) of the statutes is created to read:

24 76.28 (1) (gr) “Retail electric cooperative” has the meaning given in s. 16.957
25 (1) (t).

1 **SECTION 1809no.** 76.28 (1) (j) of the statutes is created to read:

2 76.28 (1) (j) “Transmission company” has the meaning given in s. 196.485 (1)
3 (ge).

4 **SECTION 1809s.** 76.28 (2) (c) (intro.) of the statutes is amended to read:

5 76.28 (2) (c) (intro.) ~~For~~ Except as provided under par. (e), for private light, heat
6 and power companies for 1986 and thereafter, an amount equal to the apportionment
7 factor multiplied by the sum of:

8 **SECTION 1809w.** 76.28 (2) (d) of the statutes is amended to read:

9 76.28 (2) (d) ~~For~~ Except as provided under par. (e), for municipal light, heat and
10 power companies, an amount equal to the gross revenues, except gross revenues from
11 operations within the municipality that operates the company, multiplied by the
12 rates under par. (b) or (c).

13 **SECTION 1809y.** 76.28 (2) (e) of the statutes is created to read:

14 76.28 (2) (e) For transmission companies, an amount equal to the gross
15 revenues multiplied by the rates under par. (c).

16 **SECTION 1809zm.** 76.48 (1g) (d) of the statutes is amended to read:

17 76.48 (1g) (d) “Gross revenues” means total operating revenues, except
18 revenues for interdepartmental sales and for interdepartmental rents, less
19 deductions from the sales and use tax under s. 77.61 (4) and, in respect to any electric
20 cooperative that purchases more than 50% of the power it sells, less the actual cost
21 of power purchased for resale by an electric cooperative, if the revenue from that
22 purchased electric power is included in the seller’s gross revenues or if the electric
23 cooperative purchased more than 50% of the power it sold in the year prior to
24 January 1, 1988, from a seller located outside this state. For an electric cooperative,
25 “gross revenues” does not include grants awarded to the electric cooperative under

1 s. 16.958 (2) (b). For a retail electric cooperative, “gross revenues” does not include
2 public benefits fees collected by the retail electric cooperative under s. 16.957 (5) (a),
3 public benefits fees received by the retail electric cooperative from a retail electric
4 cooperative or municipal utility under a joint program established under s. 16.957
5 (5) (f). For a wholesale supplier, as defined in s. 16.957 (1) (w), “gross revenues” does
6 not include any public benefits fees that are received from a municipal utility, as
7 defined in s. 16.957 (1) (q), or retail electric cooperative or under a joint program
8 established under s. 16.957 (5) (f).

9 **SECTION 1809zo.** 76.48 (1g) (dm) of the statutes is created to read:

10 76.48 (1g) (dm) “Municipal utility” has the meaning given in s. 16.957 (1) (q).

11 **SECTION 1809zp.** 76.48 (1g) (fm) of the statutes is created to read:

12 76.48 (1g) (fm) “Retail electric cooperative” has the meaning given in s. 16.957
13 (1) (t).

14 **SECTION 1810d.** 76.91 (1m) of the statutes is created to read:

15 76.91 (1m) If the amount calculated under sub. (1) is a negative amount and
16 the taxpayer’s annual gross revenue under s. 76.38, 1993 stats., is less than
17 \$10,000,000, the taxpayer may claim a credit against the fee imposed under this
18 subchapter as follows:

19 (a) For the transitional adjustment fee paid for 1999, the taxpayer may
20 consider the negative amount calculated under sub. (1) to be a positive amount and
21 may claim a credit in an amount equal to 60% of the positive amount.

22 (b) For the transitional adjustment fee paid for the year 2000, the taxpayer may
23 consider the negative amount calculated under sub. (1) to be a positive amount and
24 may claim a credit in an amount equal to 40% of the positive amount.

25 **SECTION 1810em.** Chapter 77 (title) of the statutes is amended to read:

1 s. 77.22. No return is required with respect to conveyances exempt under s. 77.25
2 (2) unless the transferor is also a lender for the transaction.

3 **SECTION 1812Lm.** 77.51 (4) (c) 6. of the statutes is repealed.

4 **SECTION 1812Lmg.** 77.51 (9) (e) of the statutes is amended to read:

5 77.51 (9) (e) ~~An auction which is~~ Five or fewer auctions that are the sale of
6 personal farm property or household goods and ~~not that are held by the same~~
7 auctioneer at regular intervals the same location during the year. In this paragraph,
8 with respect to indoor locations, “location” means a building, except that in the case
9 of a shopping center or a shopping mall “location” means a store.

10 **SECTION 1812Lmr.** 77.51 (14g) (fm) of the statutes is created to read:

11 77.51 (14g) (fm) The transfer of transmission facilities, as defined in s. 196.485
12 (1) (h), to a transmission company, as defined in s. 196.485 (1) (ge), after the
13 organizational start-up date, as defined in s. 196.485 (1) (dv), of such company in
14 exchange for securities, as defined in s. 196.485 (1) (fe);

15 **SECTION 1812Ln.** 77.52 (2) (a) 1. of the statutes is amended to read:

16 77.52 (2) (a) 1. The furnishing of rooms or lodging to transients by hotelkeepers,
17 motel operators and other persons furnishing accommodations that are available to
18 the public, irrespective of whether membership is required for use of the
19 accommodations, ~~including the furnishing of rooms or lodging through the sale of a~~
20 ~~time-share property, as defined in s. 707.02 (32),~~ if the use of the rooms or lodging
21 is not fixed at the time of sale as to the starting day or the lodging unit. In this
22 subdivision, “transient” means any person residing for a continuous period of less
23 than one month in a hotel, motel or other furnished accommodations available to the
24 public. In this subdivision, “hotel” or “motel” means a building or group of buildings
25 in which the public may obtain accommodations for a consideration, including,

1 without limitation, such establishments as inns, motels, tourist homes, tourist
2 houses or courts, lodging houses, rooming houses, summer camps, apartment hotels,
3 resort lodges and cabins and any other building or group of buildings in which
4 accommodations are available to the public, except accommodations, including
5 mobile homes as defined in s. 66.058 (1) (d), rented for a continuous period of more
6 than one month and accommodations furnished by any hospitals, sanatoriums, or
7 nursing homes, or by corporations or associations organized and operated
8 exclusively for religious, charitable or educational purposes provided that no part of
9 the net earnings of such corporations and associations inures to the benefit of any
10 private shareholder or individual. In this subdivision, "one month" means a calendar
11 month or 30 days, whichever is less, counting the first day of the rental and not
12 counting the last day of the rental.

13 **SECTION 1812Lp.** 77.52 (2) (a) 2. of the statutes is amended to read:

14 77.52 (2) (a) 2. The sale of admissions to amusement, athletic, entertainment
15 or recreational events or places except county fairs, the sale, rental or use of regular
16 bingo cards, extra regular cards, special bingo cards and the sale of bingo supplies
17 to players and the furnishing, for dues, fees or other considerations, the privilege of
18 access to clubs or the privilege of having access to or the use of amusement,
19 entertainment, athletic or recreational devices or facilities, including, ~~in connection~~
20 ~~with the sale or use of time-share property, as defined in s. 707.02 (32),~~ the sale or
21 furnishing of use of recreational facilities on a periodic basis or other recreational
22 rights, including but not limited to membership rights, vacation services and club
23 memberships.

24 **SECTION 1812Lr.** 77.54 (20) (c) 4m. of the statutes is created to read:

1 77.54 (20) (c) 4m. Taxable sales do not include food and beverage items under
2 pars. (b) 4. and (c) 2., and disposable products that are transferred with such items,
3 that are provided by a restaurant to the restaurant's employe during the employe's
4 work hours.

5 **SECTION 1812np.** 77.54 (20) (c) 6. of the statutes is amended to read:

6 77.54 (20) (c) 6. For purposes of subd. 1., "premises" shall be construed broadly,
7 and, by way of illustration but not limitation, shall include the lobby, aisles and
8 auditorium of a theater or the seating, aisles and parking area of an arena, rink or
9 stadium or the parking area of a drive-in or outdoor theater. The premises of a
10 caterer with respect to catered meals or beverages shall be the place where served.
11 ~~Vending machine premises shall include the room or area in which located~~ Sales from
12 a vending machine shall be considered sales for off-premises consumption.

13 **SECTION 1812p.** 77.54 (30) (a) 3. of the statutes is amended to read:

14 77.54 (30) (a) 3. Electricity sold ~~during the months of November, December,~~
15 ~~January, February, March and April~~ for use in farming, including but not limited to
16 agriculture, dairy farming, floriculture and horticulture.

17 **SECTION 1812t.** 77.54 (44) of the statutes is created to read:

18 77.54 (44) The gross receipts from the sale of and the storage, use or other
19 consumption of materials, supplies and fuel used in the maintenance of railroad
20 tracks and rights-of-way.

21 **SECTION 1813v.** 77.54 (44) of the statutes is created to read:

22 77.54 (44) The gross receipts from the collection of public benefits fees that are
23 charged under s. 16.957 (4) (a) or (5) (a).

24 **SECTION 1815.** 77.60 (2) (intro.) of the statutes is amended to read:

1 77.60 (2) (intro.) Delinquent sales and use tax returns shall be subject to a \$10
2 \$20 late filing fee unless the return was not timely filed because of the death of the
3 person required to file or unless the return was not timely filed ~~because of a~~
4 reasonable due to good cause and not because of due to neglect. The fee shall not
5 apply if the department has failed to issue a seller's permit or a use tax registration
6 within 30 days of the receipt of an application for a seller's permit or use tax
7 registration accompanied by the fee established under s. 73.03 (50), if the person does
8 not hold a valid certificate under s. 73.03 (50), and the security required under s.
9 77.61 (2) has not been placed with the department. Delinquent sales and use taxes
10 shall bear interest at the rate of 1.5% per month until paid. The taxes imposed by
11 this subchapter shall become delinquent if not paid:

12 **SECTION 1815g.** 77.63 of the statutes is created to read:

13 **77.63 Agreements with direct marketers.** (1) (a) The department of
14 revenue may enter into agreements with out-of-state direct marketers to collect the
15 sales tax and the use tax imposed under this subchapter at the rate imposed under
16 this subchapter plus the rate imposed under subch. V. An out-of-state direct
17 marketer that collects the sales tax and the use tax under this section may retain 5%
18 of the first \$1,000,000 of the taxes collected in a year and 6% of the taxes collected
19 in excess of \$1,000,000 in a year. This section does not apply to an out-of-state direct
20 marketer who is required to collect the sales tax and the use tax imposed under this
21 subchapter and under subch. V.

22 (b) Sections 77.58, 77.59 and 77.60, as they apply to the taxes imposed under
23 this subchapter, apply to agreements under this section, except that the department
24 of revenue may negotiate payment schedules and audit procedures with out-of-state

1 direct marketers. The retailer's discount under s. 77.61 (4) (c) does not apply to
2 agreements under this section.

3 (2) Annually, by July 31, the department of revenue shall certify to the
4 department of health and family services an amount equal to one-eleventh of the
5 taxes collected under sub. (1) for grants to counties under s. 46.513.

6 **SECTION 1816.** 77.76 (3) of the statutes is amended to read:

7 77.76 (3) From the appropriation under s. 20.835 (4) (g) the department shall
8 distribute ~~98.5%~~ 98.25% of the county taxes reported for each enacting county, minus
9 the county portion of the retailers' discounts, to the county and shall indicate the
10 taxes reported by each taxpayer, no later than the end of the 3rd month following the
11 end of the calendar quarter in which such amounts were reported. In this subsection,
12 the "county portion of the retailers' discount" is the amount determined by
13 multiplying the total retailers' discount by a fraction the numerator of which is the
14 gross county sales and use taxes payable and the denominator of which is the sum
15 of the gross state and county sales and use taxes payable. The county taxes
16 distributed shall be increased or decreased to reflect subsequent refunds, audit
17 adjustments and all other adjustments of the county taxes previously distributed.
18 Interest paid on refunds of county sales and use taxes shall be paid from the
19 appropriation under s. 20.835 (4) (g) at the rate paid by this state under s. 77.60 (1)
20 (a). The county may retain the amount it receives or it may distribute all or a portion
21 of the amount it receives to the towns, villages, cities and school districts in the
22 county. Any county receiving a report under this subsection is subject to the duties
23 of confidentiality to which the department of revenue is subject under s. 77.61 (5).

24 **SECTION 1817.** 77.76 (4) of the statutes is amended to read:

1 business for federal income tax purposes and includes net income derived as an
2 employe as defined in section 3121 (d) (3) of the ~~internal-revenue-code~~ Internal
3 Revenue Code.

4 **SECTION 1817bcm.** 77.92 (4r) of the statutes is repealed.

5 **SECTION 1817bd.** 77.93 (intro.) of the statutes is amended to read:

6 **77.93 Applicability.** (intro.) For the privilege of doing business in this state,
7 there is imposed a temporary recycling surcharge on the following entities:

8 **SECTION 1817be.** 77.93 (1) of the statutes is amended to read:

9 77.93 (1) All corporations required to file a return under subch. IV or V of ch.
10 71 that have at least ~~\$4,000~~ more than \$1,000,000 in total gross receipts from all
11 activities for the taxable year except corporations that are exempt from taxation
12 under s. 71.26 (1) and that have no unrelated business income reportable under s.
13 71.24 (1m). The surcharge is imposed on the tax-option corporation, not on its
14 shareholders, except that if a tax-option corporation's surcharge is delinquent, its
15 shareholders are jointly and severally liable for it.

16 **SECTION 1817bf.** 77.93 (4) of the statutes is amended to read:

17 77.93 (4) All insurers that are required to file a return under subch. VII of ch.
18 71 and that have at least ~~\$4,000~~ more than \$1,000,000 in total gross receipts from
19 all activities for the taxable year.

20 **SECTION 1817bg.** 77.94 (1) (intro.) of the statutes is amended to read:

21 77.94 (1) (intro.) Except as provided in ~~subs. sub. (2) and (3)~~, for taxable years
22 ending beginning after ~~April 1, 1991~~ December 31, 1999, the surcharge imposed
23 under s. 77.93 is calculated as follows:

24 **SECTION 1817bh.** 77.94 (1) (a) of the statutes is amended to read:

1 77.94 (1) (a) On a corporation under s. 77.93 (1) and (4), an amount equal to
2 the amount calculated by multiplying gross tax liability for the taxable year of the
3 corporation by ~~5.5%~~ 3.3%, or in the case of a tax-option corporation an amount equal
4 to the amount calculated by multiplying net income under s. 71.34 by ~~0.4345%~~
5 0.2607%, up to a maximum of ~~\$9,800~~ \$20,000, or \$25, whichever is greater.

6 **SECTION 1817bi.** 77.94 (1) (b) of the statutes is amended to read:

7 77.94 (1) (b) On an entity under s. 77.93 (2) or (3), except an entity that has less
8 than ~~\$4,000~~ no more than \$1,000,000 of gross receipts, an amount equal to the
9 amount calculated by multiplying net business income as allocated or apportioned
10 to this state by means of the methods under s. 71.04, for the taxable year of the entity
11 by ~~0.4345%~~ 0.2607%, up to a maximum of ~~\$9,800~~ \$20,000, or \$25, whichever is
12 greater.

13 **SECTION 1817bj.** 77.94 (1) (c) of the statutes is amended to read:

14 77.94 (1) (c) On an entity under s. 77.93 (5), except an entity that has a ~~net farm~~
15 ~~profit~~ gross receipts from farming of less no more than ~~\$1,000~~ \$1,000,000, a
16 surcharge of \$25, regardless of whether the entity is subject to a surcharge
17 determined under par. (b).

18 **SECTION 1817bk.** 77.94 (3) of the statutes is repealed.

19 **SECTION 1817bL.** 77.94 (4) of the statutes is repealed.

20 **SECTION 1817bm.** 77.945 of the statutes is repealed.

21 **SECTION 1817bn.** 77.96 (6) of the statutes is amended to read:

22 77.96 (6) The department of revenue shall refer to the surcharge under this
23 subchapter as the ~~temporary~~ recycling surcharge.

24 **SECTION 1817d.** 77.982 (3) of the statutes is amended to read:

1 77.982 **(3)** From the appropriation under s. 20.835 (4) (gg), the department of
2 revenue shall distribute 97% 97.45% of the taxes collected under this subchapter for
3 each district to that district, no later than the end of the month following the end of
4 the calendar quarter in which the amounts were collected. The taxes distributed
5 shall be increased or decreased to reflect subsequent refunds, audit adjustments and
6 all other adjustments. Interest paid on refunds of the tax under this subchapter shall
7 be paid from the appropriation under s. 20.835 (4) (gg) at the rate under s. 77.60 (1)
8 (a). Those taxes may be used only for the district's debt service on its bond
9 obligations. Any district that receives a report along with a payment under this
10 subsection is subject to the duties of confidentiality to which the department of
11 revenue is subject under s. 77.61 (5).

12 **SECTION 1817g.** 77.991 (3) of the statutes is amended to read:

13 77.991 **(3)** From the appropriation under s. 20.835 (4) (gg), the department of
14 revenue shall distribute 97% 97.45% of the taxes collected under this subchapter for
15 each district to that district, no later than the end of the month following the end of
16 the calendar quarter in which the amounts were collected. The taxes distributed
17 shall be increased or decreased to reflect subsequent refunds, audit adjustments and
18 all other adjustments. Interest paid on refunds of the tax under this subchapter shall
19 be paid from the appropriation under s. 20.835 (4) (gg) at the rate under s. 77.60 (1)
20 (a). Those taxes may be used only for the district's debt service on its bond
21 obligations. Any district that receives a report along with a payment under this
22 subsection is subject to the duties of confidentiality to which the department of
23 revenue is subject under s. 77.61 (5).

24 **SECTION 1818.** 77.996 (2) (i) of the statutes is created to read:

25 77.996 **(2)** (i) Formal wear rental firms.

1 **SECTION 1818c.** 77.996 (4) of the statutes is created to read:

2 77.996 (4) “Formal wear” includes tuxedos, suits and dresses, but does not
3 include costumes, table linens or household fabrics.

4 **SECTION 1818cm.** 77.996 (5) of the statutes is created to read:

5 77.996 (5) “Formal wear rental firm” means a facility that rents formal wear
6 to the general public and dry cleans only the formal wear that it rents to the general
7 public.

8 **SECTION 1818d.** 77.9961 (1) of the statutes is amended to read:

9 77.9961 (1) No person may operate a dry cleaning facility in this state unless
10 the person completes and submits to the department a form that the department
11 prescribes and pays to the department a fee for each dry cleaning facility that the
12 person operates. The fee is shall be paid in instalments, as provided in sub. (2), and
13 each instalment is equal to 1.8% of the previous year’s gross receipts from the
14 previous 3 months from dry cleaning apparel and household fabrics, but not from
15 formal wear the facility rents to the general public.

16 **SECTION 1818f.** 77.9961 (2) of the statutes is amended to read:

17 77.9961 (2) Persons who owe a fee under this section shall pay it in instalments
18 on or before April 25, July 25, October 25 and January 15 25. The department shall
19 issue a license to each person who pays the fee January 25 instalment and the
20 previous 3 instalments and submits the form under this section. The license is valid
21 through December 31 of for the year during in which the fee January 25 instalment
22 is due. If a dry cleaning facility is sold, the seller may transfer the license to the
23 buyer. Each holder of a license under this section shall display it prominently in the
24 facility to which it applies.

25 **SECTION 1818g.** 77.9961 (4) of the statutes is renumbered 77.9961 (4) (a).

1 **SECTION 1818h.** 77.9961 (4) (b) of the statutes is created to read:

2 77.9961 (4) (b) Any person who operates a dry cleaning facility and who pays
3 an instalment under sub. (2) after the instalment is due shall pay to the department
4 a penalty of \$5 for each day from the date that the instalment is due to the date that
5 the instalment is paid.

6 **SECTION 1818L.** 77.9964 (4) of the statutes is created to read:

7 77.9964 (4) The department shall reimburse the owner or operator of a formal
8 wear rental firm an amount equal to the sum of any fees paid by the owner or operator
9 under s. 77.9961 (1) prior to the effective date of this subsection [revisor inserts
10 date].

11 **SECTION 1818Lk.** 79.01 (1) of the statutes is amended to read:

12 79.01 (1) There is established an account in the general fund entitled the
13 “Expenditure Restraint Program Account”. There shall be appropriated to that
14 account \$25,000,000 in 1991, in 1992 and in 1993, \$42,000,000 in 1994 and,
15 \$48,000,000 in each year beginning in 1995 and ending in 1999 and \$57,000,000 in
16 the year 2000 and in each year thereafter.

17 **SECTION 1818Ln.** 79.03 (3c) (f) of the statutes is amended to read:

18 79.03 (3c) (f) *Distribution amount.* If the total amounts calculated under pars.
19 (c) to (e) exceed the total amount to be distributed under this subsection, the amount
20 paid to each eligible municipality shall be paid on a prorated basis. The total amount
21 to be distributed under this subsection from s. 20.835 (1) (b) is \$10,000,000 beginning
22 in 1996 and ending in 1999 and \$11,875,000 in the year 2000 and in each year
23 thereafter.

24 **SECTION 1818Lp.** 79.03 (4) of the statutes is amended to read:

1 79.03 (4) ~~In 1991, the total amount to be distributed under ss. 79.03, 79.04 and~~
2 ~~79.06 from s. 20.835 (1) (d) is \$869,000,000. In 1992, the total amount to be~~
3 ~~distributed under ss. 79.03, 79.04 and 79.06 from s. 20.835 (1) (d) is \$885,961,300.~~
4 ~~In 1993, the total amount to be distributed under ss. 79.03, 79.04 and 79.06 from s.~~
5 ~~20.835 (1) (d) is \$903,680,500. In 1994, the total amounts to be distributed under this~~
6 ~~section and ss. 79.04 and 79.06 from s. 20.835 (1) (d) are \$746,547,500 to~~
7 ~~municipalities and \$168,981,800 to counties. In Beginning in 1995 and subsequent~~
8 ~~years ending in 1999, the total amounts to be distributed under ss. 79.03, 79.04 and~~
9 ~~79.06 from s. 20.835 (1) (d) are \$761,478,000 to municipalities and \$168,981,800 to~~
10 ~~counties. In the year 2000 and subsequent years, the total amounts to be distributed~~
11 ~~under ss. 79.03, 79.04 and 79.06 from s. 20.835 (1) (d) are \$776,707,600 to~~
12 ~~municipalities and \$172,361,400 to counties.~~

13 **SECTION 1818Lq.** 79.05 (2) (c) of the statutes is amended to read:

14 79.05 (2) (c) Its municipal budget, exclusive of principal and interest on
15 long-term debt and exclusive of payments of the recycling fee under s. 289.645, for
16 the year of the statement under s. 79.015 increased over its municipal budget as
17 adjusted under sub. (6), exclusive of principal and interest on long-term debt and
18 exclusive of payments of the recycling fee under s. 289.645, for the year before that
19 year by less than the sum of the inflation factor and the valuation factor, rounded to
20 the nearest 0.10%.

21 **SECTION 1818Ls.** 79.058 (3) (b) of the statutes is amended to read:

22 79.058 (3) (b) In Beginning in 1995 and subsequent years ending in 1999,
23 \$20,159,000.

24 **SECTION 1818Lt.** 79.058 (3) (c) of the statutes is created to read:

25 79.058 (3) (c) In the year 2000 and subsequent years, \$20,763,800.

1 **SECTION 1818Lu.** 79.10 (10) (bn) of the statutes is created to read:

2 79.10 (10) (bn) If a person who owns and uses property as specified under sub.
3 (1) (dm) as of the certification date under par. (a), transfers the property after the
4 certification date, the transferee may apply for the credit under sub. (9) (bm) on a
5 form prescribed by the department of revenue. The transferee shall attest that, to
6 the transferee's knowledge, the transferor used the property in the manner specified
7 under sub. (1) (dm) as of the certification date under par. (a). A claim that is made
8 under this paragraph is valid for the year in which the property is transferred.

9 **SECTION 1818mLb.** 79.10 (11) (b) of the statutes, as affected by 1999 Wisconsin
10 Act 5, is amended to read:

11 79.10 (11) (b) Before October 16, the department of administration shall
12 determine the total funds available for distribution under the lottery and gaming
13 credit in the following year and shall inform the joint committee on finance of that
14 total. Total funds available for distribution shall be all moneys projected to be
15 transferred to the lottery fund under ss. 20.455 (2) (g) and 20.505 (8) (am), (g) and
16 (jm) and all existing and projected lottery proceeds and interest for the fiscal year of
17 the distribution, less the amount estimated to be expended under ~~ss. 20.455 (2) (r),~~
18 ~~20.566 (2) (r) and s. 20.835 (2) (q) and (3) (r)~~ and less the required reserve under s.
19 20.003 (5). The joint committee on finance may revise the total amount to be
20 distributed if it does so at a meeting that takes place before November 1. If the joint
21 committee on finance does not schedule a meeting to take place before November 1,
22 the total determined by the department of administration shall be the total amount
23 estimated to be distributed under the lottery and gaming credit in the following year.

24 **SECTION 1818mLc.** 79.10 (11) (b) of the statutes, as affected by 1999 Wisconsin
25 Act (this act), is repealed and recreated to read:

1 79.10 **(11)** (b) Before October 16, the department of administration shall
2 determine the total funds available for distribution under the lottery and gaming
3 credit in the following year and shall inform the joint committee on finance of that
4 total. Total funds available for distribution shall be all moneys projected to be
5 transferred to the lottery fund under ss. 20.455 (2) (g) and 20.505 (8) (am), (g) and
6 (jm) and all existing and projected lottery proceeds and interest for the fiscal year of
7 the distribution, less the amount estimated to be expended under ss. 20.455 (2) (r),
8 20.566 (2) (r) and 20.835 (2) (q) and (3) (r) and less the required reserve under s.
9 20.003 (5). The joint committee on finance may revise the total amount to be
10 distributed if it does so at a meeting that takes place before November 1. If the joint
11 committee on finance does not schedule a meeting to take place before November 1,
12 the total determined by the department of administration shall be the total amount
13 estimated to be distributed under the lottery and gaming credit in the following year.

14 **SECTION 1818mLd.** 79.13 (1) of the statutes, as created by 1999 Wisconsin Act
15 5, is amended to read:

16 79.13 **(1)** In the 1999–2000 fiscal year, the amount that is estimated to be
17 expended from the appropriation under s. 20.835 (2) ~~(q)~~ (dn) is \$15,000,000.

18 **SECTION 1818mLf.** 79.13 (2) of the statutes, as created by 1999 Wisconsin Act
19 5, is renumbered 79.13 (2) (a) and amended to read:

20 79.13 **(2)** (a) In the 2000–01 fiscal year, ~~and in each fiscal year thereafter,~~ the
21 amount that is estimated to be expended from the appropriation under s. 20.835 (2)
22 ~~(q)~~ (dn) is \$15,000,000, plus the amount that is estimated to be expended from the
23 appropriation under s. 20.835 (2) ~~(q)~~ (dn) in the previous fiscal year and less the
24 actual amount that is expended from the appropriation under s. 20.835 (2) ~~(q)~~ (dn)
25 in the previous fiscal year.

1 **SECTION 1818mLg.** 79.13 (2) (b) of the statutes is created to read:

2 79.13 (2) (b) In the 2001–02 fiscal year, the amount that is estimated to be
3 expended from the appropriation under s. 20.835 (2) (q) is \$15,000,000, plus the
4 amount that is estimated to be expended from the appropriation under s. 20.835 (2)
5 (dn) in the previous fiscal year and less the actual amount that is expended from the
6 appropriation under s. 20.835 (2) (dn) in the previous fiscal year.

7 **SECTION 1818mLh.** 79.13 (2) (c) of the statutes is created to read:

8 79.13 (2) (c) In the 2002–03 fiscal year, and in each fiscal year thereafter, the
9 amount that is estimated to be expended from the appropriation under s. 20.835 (2)
10 (q) is \$15,000,000, plus the amount that is estimated to be expended from the
11 appropriation under s. 20.835 (2) (q) in the previous fiscal year and less the actual
12 amount that is expended from the appropriation under s. 20.835 (2) (q) in the
13 previous fiscal year.

14 **SECTION 1818mn.** 84.01 (30) (g) of the statutes is created to read:

15 84.01 (30) (g) 1. In this paragraph, “park–and–ride facility” means a facility
16 with a parking lot and, within a reasonable walking distance, a station or transfer
17 point where commuters access a mass transit system.

18 2. If the department determines that such a provision advances the public
19 interest, a provision exempting the private entity from the restrictions under ss.
20 84.25 (11) and 86.19 (1), and specifying any requirements that the department
21 determines will practicably advance the purposes of ss. 84.25 (11) and 86.19 (1). This
22 subdivision applies only to park–and–ride facilities.

23 **SECTION 1818p.** 84.01 (31) of the statutes is created to read:

24 84.01 (31) STATE HIGHWAY REHABILITATION FUNDS. The department may not use
25 funds from the appropriations under s. 20.395 (3) (cq) to (cx) for the maintenance or

1 replacement of curb and pavement or other markings, or for the operation,
2 maintenance or replacement of highway signs, traffic signals or highway lighting,
3 unless the maintenance, replacement or operation is in conjunction with activities
4 related to a state trunk highway reconditioning, reconstruction or resurfacing
5 project.

6 **SECTION 1818r.** 84.013 (2) (a) of the statutes is amended to read:

7 84.013 (2) (a) ~~Major~~ Subject to s. 86.255, major highway projects shall be
8 funded from the appropriations under ss. 20.395 (3) (bq) to (bx) and (4) (jq) and 20.866
9 (2) (ur) to (uu).

10 **SECTION 1818t.** 84.013 (2) (b) of the statutes is amended to read:

11 84.013 (2) (b) ~~Reconditioning~~ Subject to s. 86.255, reconditioning,
12 reconstruction and resurfacing of highways shall be funded from the appropriations
13 under s. 20.395 (3) (cq) to (cx).

14 **SECTION 1818w.** 84.013 (3) (ra) of the statutes is created to read:

15 84.013 (3) (ra) STH 23 between STH 67 and USH 41 in Sheboygan and Fond
16 du Lac counties.

17 **SECTION 1819.** 84.013 (3) (zb) of the statutes is created to read:

18 84.013 (3) (zb) USH 41 extending from 1.5 miles south of Frog Pond Road in
19 Oconto County to 1.3 miles north of Schacht Road in Marinette County.

20 **SECTION 1819c.** 84.013 (4) (a) of the statutes is amended to read:

21 84.013 (4) (a) ~~In~~ Subject to s. 13.489 (1m), in preparation for future major
22 highway projects, the department may perform preliminary engineering and design
23 work and studies for possible major highway projects not listed under sub. (3), but
24 no major highway may be constructed unless the project is listed under sub. (3) or
25 approved under sub. (6).

1 **SECTION 1819d.** 84.013 (4) (b) of the statutes is amended to read:

2 84.013 (4) (b) The department may not, within any 6–year period, construct a
3 highway project consisting of separate contiguous projects which do not individually
4 qualify as major highway projects but which in their entirety would constitute a
5 major highway project without first submitting the project to the transportation
6 projects commission for its recommendations and report and without specific
7 authorization under sub. (3), except as provided in par. (c) and sub. (6).

8 **SECTION 1819e.** 84.013 (4) (c) of the statutes is created to read:

9 84.013 (4) (c) The department may construct highway projects involving
10 STH 59 between STH 164 on the eastern edge of the city of Waukesha and Calhoun
11 Road in Waukesha County and STH 59 from Calhoun Road to the Waukesha County
12 line in Waukesha County without first submitting the projects to the transportation
13 projects commission for its recommendations and report and without specific
14 authorization under sub. (3).

15 **SECTION 1819j.** 84.014 of the statutes is created to read:

16 **84.014 Intelligent transportation systems. (1)** In this section, “intelligent
17 transportation system” means a specialized computer or other technical system,
18 including roadway detector loops, closed circuit television, variable message signs,
19 ramp meters or an integrated traffic signal system, that is used for the purpose of
20 traffic flow measurement and management, congestion avoidance, incident
21 management, travel time information or other similar purposes.

22 **(2)** The department may fund the installation, maintenance and replacement
23 of intelligent transportation systems. After June 30, 2000, the department may
24 encumber funds for intelligent transportation systems only from the appropriation
25 accounts under s. 20.395 (3) (gq) to (gx) unless the intelligent transportation system

1 is physically integrated with and installed as part of a highway project that includes
2 construction or improvement in addition to the intelligent transportation system.

3 **SECTION 1819rg.** 84.02 (14) of the statutes is created to read:

4 **84.02 (14)** I 39 INTERCHANGE. If a waiver from the federal department of
5 transportation is required for the construction of an interchange at the intersection
6 of I 39 and Kowalski Road in Marathon County, and if the state department of
7 transportation determines that construction of the interchange will have no adverse
8 impact on safety in the vicinity of the intersection, the state department of
9 transportation shall request a waiver to permit construction of the interchange. If
10 a waiver is granted, or if the state department of transportation determines both that
11 a waiver is not required and that such construction will have no adverse impact on
12 safety in the vicinity of the intersection, the department of transportation shall
13 design the interchange specified in this subsection and allocate funds from the
14 appropriations under s. 20.395 (3) (cq) to (cx) sufficient to construct the interchange.

15 **SECTION 1819rgg.** 84.03 (9) (a) of the statutes is amended to read:

16 **84.03 (9) (a)** ~~That~~ Subject to s. 86.255, that part of the appropriation made by
17 s. 20.395 (3), not required for the other purposes therein provided, may be used by
18 the department for the improvement and traffic service of the state trunk highway
19 system and connecting highways, for the purchase and operation of equipment,
20 making surveys for locating local road materials, testing of materials, and for other
21 purposes provided in this section, and to match or supplement federal aid for the
22 construction, reconstruction or improvement of the federal aid highway system,
23 secondary or feeder roads, the elimination of hazards at railroad grade crossings and
24 for any other highway purpose for which the state may match or supplement federal
25 aid funds pursuant to any act of congress. Where such funds are used for the

1 improvement of the state trunk highway system or connecting highways or to match
2 or supplement federal aid they shall be expended in accordance with s. 84.06 and any
3 applicable act of congress. Any funds expended pursuant to this paragraph shall be
4 expended by the department on such projects within the provisions of this
5 paragraph, and executed in such manner as the department shall from time to time
6 determine will best meet the needs of travel and best promote the general welfare.
7 Such funds may be used for improvements, within the provisions of this paragraph,
8 independent of or in conjunction with other funds available for such improvements.
9 The Subject to s. 86.255, the requirements of any federal highway act, or regulations
10 issued thereunder, may be met from such appropriation.

11 **SECTION 1819rgm.** 84.065 (4) of the statutes is amended to read:

12 84.065 (4) FUNDS. The Subject to s. 86.255, the department may make loans
13 under this section from the appropriations under s. 20.395 (3) (bv) and (cv). The total
14 outstanding balance of loans under this section may not exceed \$500,000.

15 **SECTION 1819rm.** 84.1044 of the statutes is created to read:

16 **84.1044 John R. Plewa Memorial Lake Parkway.** The department shall
17 designate and mark I 794 and STH 794 in Milwaukee County commencing from the
18 Daniel Webster Hoan Memorial Bridge and proceeding southerly to the intersection
19 with East Layton Avenue as the “John R. Plewa Memorial Lake Parkway” in
20 recognition and appreciation of the life of John R. Plewa and his public service as a
21 member of the Wisconsin legislature for more than 20 years.

22 **SECTION 1820.** 84.106 of the statutes is created to read:

23 **84.106 Scenic byways program. (1) DESIGNATION.** The department shall
24 develop, implement and administer a program to designate highways, as defined in
25 s. 340.01 (22), or portions of highways in this state that have outstanding scenic,

1 historic, cultural, natural, recreational or archeological qualities as scenic byways.
2 The department may seek designation by the federal government of a highway
3 designated as a scenic byway under this section as a national scenic byway or as an
4 All-American Road.

5 **(2) RULES.** The department shall promulgate rules under this section
6 consistent with 23 USC 162 and regulations established under that section.

7 **SECTION 1820k.** 84.11 (5n) of the statutes is created to read:

8 **84.11 (5n) DESIGN-BUILD CONTRACTS.** (a) In this subsection, “design-build
9 contract” means a contract for a project under which the engineering, design and
10 construction services are provided by a single entity.

11 (b) Notwithstanding any other provision of this section and ss. 84.01 (13) and
12 84.06 (2), the department may enter into a design-build contract for the design and
13 construction of a bridge for which funding is provided under s. 84.11 (5), 1993 stats.,
14 and for which no contract for construction is awarded before May 1, 1999. The
15 department may enter into a contract under this paragraph only if all of the following
16 conditions are met:

17 1. The design-build contract is awarded through a competitive selection
18 process that utilizes, at a minimum, contractor qualifications, quality, completion
19 time and cost as award criteria. In order to be eligible to participate in the selection
20 process, the contractor must be prequalified by the department as a design
21 consultant and as a contractor.

22 2. The design-build contract is approved by the secretary of the federal
23 department of transportation under an experimental program described under
24 section 1307 (d) of P.L. 105-178 pursuant to the authority granted under section 1307
25 (e) of P.L. 105-178.

1 3. The design–build contract is approved by the governor.

2 (c) No later than 5 years after the effective date of this paragraph [revisor
3 inserts date], the department shall submit a report to the governor, and to the
4 legislature under s. 13.172 (2), describing the effectiveness of the design–build
5 process contracting procedures under this subsection.

6 **SECTION 1820L.** 84.11 (5r) of the statutes is created to read:

7 **84.11 (5r) MILWAUKEE 6TH STREET VIADUCT COST SHARING.** Notwithstanding sub.
8 (5m), the costs for any project governed by an agreement that is in effect before
9 June 30, 1993, for which funding is provided under s. 84.11 (5), 1993 stats., and for
10 which no contract for construction is awarded before May 1, 1999, shall be paid as
11 specified in an agreement entered into on or after April 20, 1999, by the city and
12 county in which the bridge is wholly located and this state.

13 **SECTION 1820m.** 84.185 (10) of the statutes is created to read:

14 **84.185 (10) PRIORITY OF BROWNFIELDS.** The department shall promote the
15 program under this section as required under s. 85.61.

16 **SECTION 1820mg.** 84.20 of the statutes is amended to read:

17 **84.20 State repair and maintenance of highways and streets.** Damage
18 to any county trunk or town highway or city or village street caused by reason of its
19 use as a detour designated by the department or for hauling materials incident to the
20 maintenance, repair or construction by the department of any state trunk highway
21 or street over which a state trunk highway is routed, shall be repaired by the
22 department. Such highway or street shall also be maintained by the department
23 during such use. The Subject to s. 86.255, the cost of such repairs and maintenance
24 shall be paid from funds appropriated and available to the department for the

1 maintenance and improvement of state trunk highways and connecting highways
2 under s. 20.395 (3).

3 **SECTION 1820n.** 84.25 (11) of the statutes is amended to read:

4 **84.25 (11) COMMERCIAL ENTERPRISES.** No commercial enterprise, except a
5 vending facility which is licensed by the department of workforce development and
6 operated by blind or visually impaired persons, or a commercial enterprise exempted
7 from this subsection by an agreement under s. 84.01 (30) (g), shall be authorized or
8 conducted within or on property acquired for or designated as a controlled-access
9 highway.

10 **SECTION 1821.** 84.30 (2m) of the statutes is created to read:

11 **84.30 (2m) CONDITIONAL USES AND SPECIAL EXCEPTIONS NOT CONSIDERED.** No uses
12 of real property that are authorized by special zoning permission, including uses by
13 conditional use, special exception, zoning variance or conditional permit, may be
14 considered when determining whether the area is a business area.

15 **SECTION 1822.** 84.30 (3) (c) (intro.) of the statutes is amended to read:

16 **84.30 (3) (c) (intro.)** Signs advertising activities conducted on the property on
17 which they are located if such on-property signs comply with applicable federal law
18 and the June 1961 agreement between the department and the federal highway
19 administrator relative to control of advertising adjacent to interstate highways.
20 ~~Additionally, any such sign located outside the incorporated area of a city or village~~
21 ~~shall comply with the following criteria~~ No on-property sign may be erected in a
22 location where it constitutes a traffic hazard. If the department issues permits for
23 outdoor advertising signs, the department is not required to issue permits for
24 on-property signs that conform to the requirements of this paragraph. On-property
25 signs may be illuminated, subject to the following restrictions:

1 **SECTION 1823.** 84.30 (3) (c) 1. to 3. of the statutes are repealed and recreated
2 to read:

3 **84.30 (3) (c) 1.** Signs which contain, include or are illuminated by any flashing,
4 intermittent or moving light or lights are prohibited, except electronic signs
5 permitted by rule of the department.

6 **2.** Signs which are not effectively shielded as to prevent beams or rays of light
7 from being directed at any portion of the traveled ways of the interstate or
8 federal–aid primary highway and which are of such intensity or brilliance as to cause
9 glare or to impair the vision of the driver of any motor vehicle, or which otherwise
10 interfere with any driver’s operation of a motor vehicle, are prohibited.

11 **3.** No sign may be so illuminated that it interferes with the effectiveness of or
12 obscures an official traffic sign, device or signal.

13 **SECTION 1824.** 84.30 (3) (c) 5. of the statutes is repealed.

14 **SECTION 1824f.** 84.30 (10m) of the statutes is created to read:

15 **84.30 (10m)** ANNUAL PERMIT FEE REQUIREMENT. The department may
16 promulgate a rule requiring persons specified in the rule to pay annual permit fees
17 for signs. If the department establishes an annual permit fee under this subsection,
18 failure to pay the fee within 2 months after the date on which payment is due is
19 evidence that the sign has been abandoned for the purposes of s. TRANS 201.10 (2)
20 (f), Wis. Adm. Code.

21 **SECTION 1824fm.** 84.31 (8) (b) of the statutes is amended to read:

22 **84.31 (8) (b)** The department and another state agency may enter into
23 agreements for the purpose of assigning to the other state agency the responsibility
24 for the administration of this section and rules adopted under this section. To the
25 extent responsibility for administration is assigned to the other agency under such

1 agreements, the other state agency shall have the same powers and duties conferred
2 on the department under this section. The department shall reimburse the other
3 state agency from the appropriation under s. 20.395 (3) (cq) and (cx) for all expenses,
4 including administrative expenses, incurred by the other state agency in connection
5 with the screening, relocation, removal or disposal of junkyards under the authority
6 assigned to the other state agency, except that no moneys may be reimbursed for the
7 acquisition of land or interests in land contrary to s. 86.255.

8 **SECTION 1825.** 84.59 (2) of the statutes is amended to read:

9 84.59 (2) The department may, under s. ~~18.56 (5) and (9) (j)~~ 18.561 or 18.562,
10 deposit in a separate and distinct fund outside the state treasury, in an account
11 maintained by a trustee, revenues derived under s. 341.25. The revenues deposited
12 are the trustee's revenues in accordance with the agreement between this state and
13 the trustee or in accordance with the resolution pledging the revenues to the
14 repayment of revenue obligations issued under this section.

15 **SECTION 1826.** 84.59 (6) of the statutes is amended to read:

16 84.59 (6) ~~Revenue obligations may be contracted by the~~ The building
17 commission may contract revenue obligations when it reasonably appears to the
18 building commission that all obligations incurred under this section can be fully paid
19 from moneys received or anticipated and pledged to be received on a timely basis.
20 ~~Revenue~~ Except as provided in this subsection, the principal amount of revenue
21 obligations issued under this section shall may not exceed \$1,348,058,900 in
22 principal amount, excluding obligations issued to refund outstanding revenue
23 obligations. Not more than \$1,255,499,900 of the \$1,348,058,900 may
24 \$1,447,085,500 and may be used for transportation facilities under s. 84.01 (28) and
25 major highway projects under ss. 84.06 and 84.09. In addition to the foregoing limit

1 on principal amount, the building commission may contract revenue obligations
2 under this section as the building commission determines is desirable to refund
3 outstanding revenue obligations contracted under this section and to pay expenses
4 associated with revenue obligations contracted under this section.

5 **SECTION 1830.** 85.024 (2) of the statutes is amended to read:

6 85.024 (2) The department shall administer a bicycle and pedestrian facilities
7 program to award grants of assistance to political subdivisions for the planning,
8 development or construction of bicycle and pedestrian facilities. ~~Annually, the~~ The
9 department shall award from the appropriation under s. 20.395 (2) ~~(nx)~~ (ox) grants
10 to political subdivisions under this section. A political subdivision that is awarded
11 a grant under this section shall contribute matching funds equal to at least 25% of
12 the amount awarded under this section. ~~The department shall select grant~~
13 ~~recipients annually beginning in 1994 from applications submitted to the~~
14 ~~department on or before April 1 of each year~~ The total amount of the grants awarded
15 under this subsection and ss. 85.026 (2) (b) and 85.243 (2) (am) and projects approved
16 under s. 85.245 (1m) for the planning, design or construction of bicycle and
17 pedestrian facilities may not exceed \$9,755,000 in the fiscal year in which the grants
18 are awarded or the projects are approved. If the department determines that a grant
19 was awarded under this subsection for a project on which construction will not be
20 completed within a reasonable time after the grant is awarded, the department may
21 withdraw that grant and the amount of the grant withdrawn may not be counted
22 under this subsection.

23 **SECTION 1830gd.** 85.026 (2) of the statutes is renumbered 85.026 (2) (a) and
24 amended to read:

1 85.026 (2) (a) ~~The Subject to s. 85.61, the department may administer a~~
2 program to award grants of assistance to any political subdivision or state agency,
3 as defined in s. 20.001 (1), for transportation enhancement activities consistent with
4 federal regulations promulgated under 23 USC 133 (b) (8). ~~The Except as provided~~
5 ~~in par. (b), the grants shall be awarded from the appropriations under s. 20.395 (2)~~
6 (nv) and (nx).

7 **SECTION 1830gc.** 85.026 (2) (b) of the statutes is created to read:

8 85.026 (2) (b) Grants awarded under this section for the planning, design and
9 construction of bicycle and pedestrian facilities shall be only awarded from the
10 appropriation under s. 20.395 (2) (ox). The total amount of the grants awarded under
11 this paragraph and ss. 85.024 and 85.243 (2) (am) and projects approved under s.
12 85.245 (1m) for the planning, design or construction of bicycle and pedestrian
13 facilities may not exceed \$9,755,000 in the fiscal year in which the grants are
14 awarded or the projects are approved. If the department determines that a grant was
15 awarded under this paragraph for a project on which construction will not be
16 completed within a reasonable time after the grant is awarded, the department may
17 withdraw that grant and the amount of the grant withdrawn may not be counted
18 under this paragraph.

19 **SECTION 1830gb.** 85.026 (3) of the statutes is created to read:

20 85.026 (3) PROCEDURE. The department may not approve a grant under sub.
21 (2) until after enactment of the biennial budget act for the biennium during which
22 the grant will be awarded. The total amount of grants awarded under sub. (2) and
23 paid from the appropriations under s. 20.395 (2) (nv) and (nx) may not exceed the
24 amounts appropriated under s. 20.395 (2) (nv) and (nx) for the purposes of
25 transportation enhancement activities for the biennium during which the grants are

1 awarded. If the department determines that a grant was awarded under sub. (2) for
2 a project on which construction will not be completed within a reasonable time after
3 the grant is awarded, the department may withdraw that grant and the amount of
4 the grant so withdrawn may not be counted under this subsection.

5 **SECTION 1830gm.** 85.037 of the statutes is amended to read:

6 **85.037 Certification of fees collected.** Annually, no later than October 1,
7 the secretary of transportation shall certify to the secretary of administration the
8 amount of fees collected under s. ss. 101.9208 (1) (dm) and 342.14 (3m) during the
9 previous fiscal year, for the purpose of determining the amounts to be transferred
10 under s. 20.855 (4) (f) during the current fiscal year.

11 **SECTION 1830h.** 85.05 of the statutes is amended to read:

12 **85.05 Evaluation of proposed major highway projects.** The department
13 by rule shall establish a procedure for numerically evaluating projects considered for
14 enumeration under s. 84.013 (3) as a major highway project. The evaluation
15 procedure may include any criteria that the department considers relevant. The
16 rules shall establish a minimum score that a project shall meet or exceed when
17 evaluated under the procedure established under this section before the department
18 may recommend the project to the transportation projects commission for
19 consideration under s. 13.489 (4).

20 **SECTION 1830j.** 85.055 of the statutes is created to read:

21 **85.055 Passenger railroad station improvements. (1)** In this section,
22 “Local governmental unit” means a city, village, town or county or an agency or
23 subdivision of a city, village, town or county.

24 **(2)** The department shall administer a passenger railroad station
25 improvement grant program. From the appropriation under s. 20.395 (2) (ct), the

1 department shall award grants to local governmental units or private entities for the
2 construction or rehabilitation of passenger railroad stations along existing or
3 proposed rail passenger routes. The amount of a grant awarded under this section
4 shall be limited to an amount equal to 33% of the cost of the project or \$60,000,
5 whichever is less.

6 **(3)** The department may not award a grant under this section to a public entity
7 unless the governing body of the city, town, village or county has adopted a resolution
8 supporting the proposed project.

9 **(4)** The department shall promulgate rules to administer the program.

10 **SECTION 1830p.** 85.07 (7) of the statutes is renumbered 85.07 (7) (a).

11 **SECTION 1830q.** 85.07 (7) (b) of the statutes is created to read:

12 85.07 (7) (b) When evaluating and selecting proposed hazard elimination
13 projects to be funded using federal funds available under 23 USC 152, the
14 department shall consider the reduction in motor vehicle accidents that will result
15 from the proposed projects, except that, if a proposed project will reduce the response
16 time of emergency vehicles, the department shall consider both the reduction in
17 motor vehicle accidents that will result from the proposed project and the public
18 safety benefits that will result from a reduction in the response time of emergency
19 vehicles.

20 **SECTION 1832.** 85.12 (3) of the statutes is created to read:

21 85.12 **(3)** The department may contract with any local governmental unit, as
22 defined in s. 16.97 (7), to provide that local governmental unit with services under
23 this section.

24 **SECTION 1834.** 85.20 (1) (g) of the statutes is amended to read:

1 85.20 (1) (g) “Operating expenses” mean costs accruing to an urban mass
2 transit system by virtue of its operations, including costs to subsidize fares paid by
3 disabled persons for transportation within the urban area of the eligible applicant,
4 and, for eligible applicants receiving aid under sub. (4m) (a) 7. or 8., maintenance.
5 “Operating expenses” do not include costs accruing to an urban mass transit system
6 from services provided by a publicly owned urban mass transit system under a
7 contract awarded on the basis of competitive bids unless the urban mass transit
8 system’s bid used the fully allocated cost methodology described in sub. (8). For a
9 publicly owned system, operating expenses do not include profit, return on
10 investment or depreciation as costs. If a local public body contracts for the services
11 of a privately owned system on the basis of competitive bids, operating expenses may
12 include as costs depreciation on the facilities and equipment that the privately
13 owned system acquired without benefit of public financial assistance, profit and
14 return on investment. If a local public body contracts for the services of a privately
15 owned system on the basis of negotiated procurement, operating expenses may
16 include as costs depreciation on the facilities and equipment that the privately
17 owned system acquired without benefit of public financial assistance. In an urban
18 area which is served exclusively by shared-ride taxicab systems, operating expenses
19 may include costs to subsidize reasonable fares paid by all users for transportation
20 within the urban area of the eligible applicant.

21 **SECTION 1834m.** 85.20 (1) (h) of the statutes is amended to read:

22 85.20 (1) (h) “Operating revenues” mean income accruing to an urban mass
23 transit system by virtue of its operations, but do not include income accruing from
24 operations under a contract awarded on the basis of competitive bids to a publicly

1 owned urban mass transit system that did not use the fully allocated cost
2 methodology described in sub. (8).

3 **SECTION 1836m.** 85.20 (4m) (a) (intro.) of the statutes is amended to read:

4 85.20 (4m) (a) (intro.) ~~An amount shall be allocated~~ The department shall pay
5 annually to the eligible applicant described in subd. 6. cm. the amount of aid specified
6 in subd. 6. cm. The department shall pay annually to the eligible applicant described
7 in subd. 6. d. the amount of aid specified in subd. 6. d. The department shall allocate
8 an amount to each eligible applicant described in subd. 7. or 8. to ensure that the sum
9 of state and federal aids for the projected operating expenses of each eligible
10 applicant's urban mass transit system is equal to a uniform percentage, established
11 by the department, of the projected operating expenses of the mass transit system
12 for the calendar year. For calendar year 1999, the operating expenses used to
13 establish the uniform percentage shall be the projected operating expenses of an
14 urban mass transit system. Subject to sub. (4r), for calendar year 2000 and
15 thereafter the operating expenses used to establish the uniform percentage shall be
16 the operating expenses incurred during the 2nd calendar year preceding the
17 calendar year for which aid is paid under this section. The department shall make
18 allocations as follows:

19 **SECTION 1837.** 85.20 (4m) (a) 1., 2., 3., 4. and 5. of the statutes are repealed.

20 **SECTION 1837m.** 85.20 (4m) (a) 6. a. of the statutes is amended to read:

21 85.20 (4m) (a) 6. a. From the appropriation under s. 20.395 (1) (hq), the uniform
22 percentage for each eligible applicant in an urban area served by an urban mass
23 transit system with annual operating expenses in excess of \$20,000,000. This subd.
24 6. a. does not apply to aid payable for calendar year 2000 or thereafter.

25 **SECTION 1838.** 85.20 (4m) (a) 6. b. of the statutes is amended to read:

1 85.20 (4m) (a) 6. b. For the purpose of making allocations under subd. 6. a., the
2 amounts amount for aids are \$60,984,900 in calendar year 1998 and is \$63,119,300
3 in calendar year 1999 and thereafter. ~~These amounts,~~ This amount, to the extent
4 practicable, shall be used to determine the uniform percentage in ~~the particular~~
5 calendar year 1999. This subd. 6. b. does not apply to aid payable for calendar year
6 2000 or thereafter.

7 **SECTION 1839mm.** 85.20 (4m) (a) 6. cm. of the statutes is created to read:

8 85.20 (4m) (a) 6. cm. Beginning with aid payable for calendar year 2000, from
9 the appropriation under s. 20.395 (1) (ht), the department shall pay \$53,555,600 to
10 the eligible applicant that pays the local contribution required under par. (b) 1. for
11 an urban mass transit system that has annual operating expenses in excess of
12 \$80,000,000. If the eligible applicant that receives aid under this subd. 6. cm. is
13 served by more than one urban mass transit system, the eligible applicant may
14 allocate the aid between the urban mass transit systems in any manner the eligible
15 applicant considers desirable.

16 **SECTION 1839mr.** 85.20 (4m) (a) 6. d. of the statutes is created to read:

17 85.20 (4m) (a) 6. d. Beginning with aid payable for calendar year 2000, from
18 the appropriation under s. 20.395 (1) (hu), the department shall pay \$14,297,600 to
19 the eligible applicant that pays the local contribution required under par. (b) 1. for
20 an urban mass transit system that has annual operating expenses in excess of
21 \$20,000,000 but less than \$80,000,000. If the eligible applicant that receives aid
22 under this subd. 6. d. is served by more than one urban mass transit system, the
23 eligible applicant may allocate the aid between the urban mass transit systems in
24 any manner the eligible applicant considers desirable.

25 **SECTION 1841.** 85.20 (4m) (a) 7. b. of the statutes is amended to read:

1 85.20 (4m) (a) 7. b. For the purpose of making allocations under subd. 7. a., the
2 amounts for aids are ~~\$17,799,600 in calendar year 1998 and \$18,422,500 in calendar~~
3 ~~year 1999~~ \$19,804,200 in calendar year 2000 and thereafter. These amounts,
4 to the extent practicable, shall be used to determine the uniform percentage in the
5 particular calendar year.

6 **SECTION 1844.** 85.20 (4m) (a) 8. b. of the statutes is amended to read:

7 85.20 (4m) (a) 8. b. For the purpose of making allocations under subd. 8. a., the
8 amounts for aids are ~~\$4,807,600 in calendar year 1998 and \$4,975,900 in calendar~~
9 ~~year 1999~~ \$5,349,100 in calendar year 2000 and thereafter. These amounts, to
10 the extent practicable, shall be used to determine the uniform percentage in the
11 particular calendar year.

12 **SECTION 1847m.** 85.20 (4r) of the statutes is created to read:

13 85.20 (4r) EXPANSION OF SERVICE. An eligible applicant that receives aid under
14 sub. (4m) (a) 7. or 8. shall notify the department if the eligible applicant anticipates
15 receiving new or expanded services provided by an urban mass transit system in a
16 manner that will increase operating expenses. The eligible applicant shall provide
17 the notice during the calendar year preceding the calendar year in which the new or
18 expanded services will first be provided. The notice shall include an estimate of the
19 projected annual operating expenses of the new or expanded services. The
20 department may modify the projected annual operating expenses to an amount that
21 the department considers reasonable. The department shall adjust the projected
22 annual operating expenses for inflation and, for each calendar year for which actual
23 operating costs of the new or expanded services are not known, shall add the adjusted
24 projected annual operating expenses to the operating expenses used to determine the
25 uniform percentage under sub. (4m) (a) (intro.).

1 **SECTION 1847q.** 85.20 (4s) of the statutes, as affected by 1997 Wisconsin Act
2 27, is amended to read:

3 **85.20 (4s)** PAYMENT OF AIDS UNDER THE CONTRACT. The contracts executed
4 between the department and eligible applicants under this section shall provide that
5 the payment of the state aid allocation under sub. (4m) (a) for the last quarter of the
6 state's fiscal year shall be provided from the following fiscal year's appropriation
7 under s. 20.395 (1) (hq), (hr) ~~or~~ (hs), (ht) or (hu).

8 **SECTION 1848.** 85.20 (6) (c) of the statutes is created to read:

9 **85.20 (6) (c)** Disclose to the department the amount of federal aid over which
10 the eligible applicant has spending discretion and that the eligible applicant intends
11 to apply towards operating expenses for a calendar year. This paragraph applies only
12 to an eligible applicant that receives aid under sub. (4m) (a) 7. or 8.

13 **SECTION 1849d.** 85.20 (6m) of the statutes is created to read:

14 **85.20 (6m)** LOCAL SEGREGATED ACCOUNT REQUIRED. (a) Notwithstanding sub.
15 (4m), the department may not pay state aid under this section to an eligible applicant
16 unless the eligible applicant does all of the following:

17 1. Establishes and administers a separate segregated account from which
18 moneys may be used only for purposes related to a mass transit system.

19 2. Deposits in the account established under subd. 1. all of the following:

20 a. All moneys received from this state and from the federal government for a
21 mass transit system.

22 b. All local moneys required by this state, or by the federal government, to
23 match moneys described under subd. 2. a. as a condition of receiving or expending
24 those state or federal moneys.

25 c. All local moneys allocated for a mass transit system by the eligible applicant.

1 d. All moneys received from a local revenue source that is dedicated to a mass
2 transit system.

3 (b) If an eligible applicant does not meet the requirements under par. (a) at the
4 time that aid should be paid under this section, the department shall withhold the
5 aid payment until the eligible applicant meets the requirements under par. (a).
6 When the eligible applicant meets the requirements under par. (a), the department
7 shall pay the aid withheld under this paragraph, without interest, except that, if the
8 eligible applicant fails to meet the requirements under par. (a) within 180 days after
9 the time that the aid should be paid, that aid is forfeited and may not be paid to that
10 eligible applicant. Aid that is forfeited under this paragraph shall be counted under
11 this section as if the aid had been paid.

12 (c) The department, in consultation with the representatives appointed under
13 s. 86.303 (5) (am), shall promulgate rules implementing this subsection. The
14 department may not require any eligible applicant to do any of the following:

15 1. Pay expenses related to law enforcement using moneys from an account
16 established under this subsection.

17 2. Maintain separate checking accounts to implement this subsection, if the
18 eligible applicant implements this subsection by segregating revenues and
19 expenditures described in this subsection in the eligible applicant's bookkeeping
20 system.

21 **SECTION 1849g.** 85.20 (7) (c) of the statutes is created to read:

22 85.20 (7) (c) Beginning with contracts for aid payable for calendar year 2000,
23 the department may not enter into a contract for payment of state aids under sub.
24 (4m) unless the rules promulgated under this subsection are in effect and unless the

1 contract requires the urban mass transit system to comply with those rules as a
2 condition of receiving aid under sub. (4m).

3 **SECTION 1849gn.** 85.20 (8) of the statutes is created to read:

4 **85.20 (8) FULLY ALLOCATED COST BIDDING.** If a local public body solicits bids to
5 contract for services, the bids of a publicly owned urban mass transit system shall
6 use a fully allocated cost methodology established by the department by rule. The
7 fully allocated cost methodology shall do all of the following:

8 (a) Be based on generally accepted accounting principles.

9 (b) Consider all shared costs and direct costs of the mass transit system that
10 are related to and support the service being considered. A publicly owned urban
11 mass transit system's costs include all subsidies provided to the system, including
12 operating subsidies, capital grants and the use of public facilities.

13 (c) Assign each cost of a publicly owned urban mass transit system to one of the
14 following categories:

15 1. Costs that depend on the number of vehicle hours operated, including
16 operators' salaries and fringe benefits.

17 2. Costs that depend on the number of vehicle miles traveled, including fuel
18 costs, maintenance costs and maintenance personnel salaries and fringe benefits.

19 3. Costs that depend on the maximum number of vehicles that are in service
20 during the day, including administrative and capital costs.

21 **SECTION 1849gm.** 85.205 of the statutes is created to read:

22 **85.205 Prohibited expenditures for light rail.** Notwithstanding ss.
23 85.022, 85.062 and 85.063, the department may not encumber or expend any federal
24 funds received under P.L. 102-240, section 1045, or P.L. 105-277, section 373, or
25 state funds for any purpose related to a light rail mass transit system. This section

1 does not apply to any light rail mass transit system that is being constructed on the
2 effective date of this section [revisor inserts date]. This section does not apply to
3 any funds expended or activity related to a mass transit system that is done under
4 the memorandum of agreement concerning USH 12 between Middleton and Lake
5 Delton, Wisconsin, that was executed by the governor, the secretary of
6 transportation, the secretary of natural resources, the county executive of Dane
7 County, the administrative coordinator of Sauk County, and others, and that became
8 effective on April 22, 1999. This section does not apply after June 30, 2001.

9 **SECTION 1850.** 85.22 (2) (am) (intro.) of the statutes is amended to read:

10 85.22 (2) (am) (intro.) “Eligible applicant” means any applicant that meets
11 eligibility requirements for federal assistance under 49 USC ~~1612 (b) (2)~~ 5310 (a) and
12 is one of the following:

13 **SECTION 1851.** 85.22 (4) of the statutes is renumbered 85.22 (4) (a) (intro.) and
14 amended to read:

15 85.22 (4) (a) (intro.) Commencing with the highest ranked application and to
16 the extent that state moneys are available, the department shall offer to each eligible
17 applicant an amount of state aid such that the sum of federal and state aid received
18 by an applicant does not exceed ~~80%~~ any of the following:

19 1. The percentage, specified by the department by rule, of the estimated capital
20 project costs.

21 (b) State aids available under this section shall not be available for operating
22 purposes.

23 **SECTION 1852.** 85.22 (4) (a) 2. of the statutes is created to read:

1 85.22 **(4)** (a) 2. For the specific type or category of capital equipment for which
2 aid is paid, the percentage of the estimated capital costs that are eligible for federal
3 aid.

4 **SECTION 1852f.** 85.243 (2) (a) of the statutes is amended to read:

5 85.243 **(2)** (a) The Subject to par. (ar). the department shall administer a
6 surface transportation discretionary grants program to promote the development
7 and implementation of surface transportation projects that foster the diverse
8 transportation needs of the people of this state. Annually, the department may make
9 grants to eligible applicants for surface transportation projects that promote
10 nonhighway use or that otherwise supplement existing transportation activities. A
11 grant may not exceed 80% of the total cost of a project. The department shall give
12 priority to funding projects that foster alternatives to single-occupancy automobile
13 trips. In deciding whether to award a grant under this section, the department may
14 consider whether other funding sources are available for the proposed project.

15 **SECTION 1852g.** 85.243 (2) (am) of the statutes is created to read:

16 85.243 **(2)** (am) Grants awarded under this section for the planning, design or
17 construction of bicycle and pedestrian facilities shall be only awarded from the
18 appropriation under s. 20.395 (2) (ox). The total amount of the grants awarded under
19 this paragraph and ss. 85.024 and 85.026 (2) (b) and projects approved under s.
20 85.245 (1m) for the planning, design or construction of bicycle and pedestrian
21 facilities may not exceed \$9,755,000 in the fiscal year in which the grants are
22 awarded or the projects are approved. If the department determines that a grant was
23 awarded under this paragraph for a project on which construction will not be
24 completed within a reasonable time after the grant is awarded, the department may

1 withdraw that grant and the amount of the grant withdrawn may not be counted
2 under this paragraph.

3 **SECTION 1852gd.** 85.243 (2) (ar) of the statutes is created to read:

4 85.243 (2) (ar) The department may not approve a grant under par. (a) until
5 after enactment of the biennial budget act for the biennium during which the grant
6 will be awarded. The total amount of grants awarded under par. (a) and paid from
7 the appropriations under s. 20.395 (2) (jq), (jv) and (jx) may not exceed the amounts
8 appropriated under s. 20.395 (2) (jq), (jv) and (jx) for the biennium during which the
9 grants are awarded. If the department determines that a grant was awarded under
10 par. (a) for a project on which construction will not be completed within a reasonable
11 time after the grant is awarded, the department may withdraw that grant and the
12 amount of the grant so withdrawn may not be counted under this paragraph.

13 **SECTION 1852j.** 85.245 (1) of the statutes is amended to read:

14 85.245 (1) The department may administer a program for the distribution of
15 federal funds for congestion mitigation and air quality improvement projects made
16 available to the state under 23 USC 149. The Except as provided in sub. (1m), the
17 cost of any project shall be funded from the appropriations under s. 20.395 (2) (kv)
18 and (kx).

19 **SECTION 1852k.** 85.245 (1m) of the statutes is created to read:

20 85.245 (1m) The cost of any project funded under this section for the planning,
21 design or construction of a bicycle and pedestrian facility shall be only funded from
22 the appropriation under s. 20.395 (2) (ox). The total amount of any project approved
23 under this subsection and the amount of grants awarded under ss. 85.024, 85.026 (2)
24 (b) and 85.243 (2) (am) for the planning, design or construction of bicycle and
25 pedestrian facilities may not exceed \$9,755,000 in the fiscal year in which the

1 projects are approved or the grants are awarded. If the department determines that
2 a project was approved under this subsection on which construction will not be
3 completed within a reasonable time after the project is approved, the department
4 may withdraw its approval of that project and the cost of the project for which
5 approval was withdrawn may not be counted under this subsection.

6 **SECTION 1852m.** 85.32 of the statutes is created to read:

7 **85.32 Statewide trauma care system transfer.** Beginning July 1, 2000,
8 and annually thereafter, the secretary shall transfer \$80,000 from the appropriation
9 under s. 20.395 (5) (dq) to the appropriation under s. 20.435 (1) (kx) for the purposes
10 of the statewide trauma care system under s. 146.56.

11 **SECTION 1853.** 85.50 of the statutes is repealed.

12 **SECTION 1854.** 85.515 of the statutes, as created by 1997 Wisconsin Act 84, is
13 amended to read:

14 **85.515 Implementation of 1997 Wisconsin Act 84.** If the secretary
15 determines that the changes to the department's computerized information systems
16 made necessary by 1997 Wisconsin Act 84 will be operational before May 1, 2000
17 2001, the secretary shall publish a notice in the Wisconsin Administrative Register
18 that states the date on which the changes to the department's computerized
19 information system will begin operating, and that ~~the~~ clearly states which portion
20 of revisions to the operator's license suspension and revocation law made by 1997
21 Wisconsin Act 84 will become effective on that date.

22 **SECTION 1854m.** 85.52 (3) (a) of the statutes is amended to read:

23 **85.52 (3) (a)** The Subject to s. 85.61, the department shall administer a
24 transportation infrastructure loan program to make loans, and to provide other
25 assistance, to eligible applicants for highway projects or transit capital projects. The

1 department of transportation may not make a loan or provide other assistance under
2 the program unless the secretary of administration approves of the loan or other
3 assistance and determines that the amounts in the fund, together with anticipated
4 receipts, will be sufficient to fully pay principal and interest costs incurred on the
5 revenue obligations issued under sub. (5). Loans or other assistance under the
6 program for highway projects shall be credited to the highway account. Loans or
7 other assistance under the program for transit capital projects shall be credited to
8 the transit account.

9 **SECTION 1855.** 85.52 (5) (c) of the statutes is amended to read:

10 85.52 **(5)** (c) The department of administration may, under s. ~~18.56 (5) and (9)~~
11 ~~(j) 18.561 or 18.562~~, deposit in a separate and distinct fund in the state treasury or
12 in an account maintained by a trustee outside the state treasury, any portion of the
13 revenues derived under s. 25.405 (2). The revenues deposited with a trustee outside
14 the state treasury are the trustee's revenues in accordance with the agreement
15 between this state and the trustee or in accordance with the resolution pledging the
16 revenues to the repayment of revenue obligations issued under this subsection.

17 **SECTION 1855g.** 85.53 (3) of the statutes is amended to read:

18 85.53 **(3)** Grants under this section shall be paid from the appropriation under
19 s. 20.395 (5) (jr) The amount of a grant may not exceed 80% of the amount expended
20 by an eligible applicant for services related to the program. ~~The total amount of~~
21 ~~grants awarded under this section may not exceed \$500,000.~~

22 **SECTION 1855L.** 85.61 of the statutes is created to read:

23 **85.61 Programs to assist brownfields redevelopment.** The department
24 shall promote the following programs in a manner that ensures that the programs

1 assist the restoration of the environment and the redevelopment of brownfields, as
2 defined in s. 560.60 (1v), to the greatest extent possible:

3 (1) Activities funded from the appropriation under s. 20.395 (2) (fv) or (fx).

4 (2) Transportation facilities economic assistance and development under s.
5 84.185.

6 (3) The transportation enhancement activities program under s. 85.026, if the
7 department administers such a program.

8 (4) The transportation infrastructure loan program under s. 85.52.

9 **SECTION 1855p.** 86.19 (1) of the statutes is amended to read:

10 86.19 (1) Except as provided in sub. (1m) or s. 84.01 (30) (g), no sign shall be
11 placed within the limits of any street or highway except such as are necessary for the
12 guidance or warning of traffic or as provided by ss. 60.23 (17m) and 66.046. The
13 authorities charged with the maintenance of streets or highways shall cause the
14 removal therefrom and the disposal of all other signs.

15 **SECTION 1855r.** 86.19 (1r) of the statutes is created to read:

16 86.19 (1r) The department shall maintain the directional sign existing on the
17 effective date of this subsection [revisor inserts date], that is located along I 43 for
18 America's Black Holocaust Museum in Milwaukee County. The department may not
19 charge any fee related to the sign maintained under this subsection.

20 **SECTION 1855rm.** 86.195 (2) (ag) 16m. of the statutes is created to read:

21 86.195 (2) (ag) 16m. STH 172 from I 43 southeast of Green Bay to USH 41 at
22 Ashwaubenon.

23 **SECTION 1855rn.** 86.255 of the statutes is created to read:

24 **86.255 Limitation on moneys used to purchase land remote from**
25 **highway project.** (1) Notwithstanding ss. 84.09 and 86.25, beginning with

1 purchase contracts executed on the effective date of this subsection [revisor
2 inserts date], and with relocation orders initially filed under ch. 32 on the effective
3 date of this subsection [revisor inserts date], the department may not encumber
4 or expend any moneys from the appropriations under s. 20.395 (3) for purposes
5 related to the purchase of land, easements, or development rights in land, unless the
6 land or interest in land is purchased in association with a highway improvement
7 project and the land or interest in land is located within one-quarter mile of the
8 centerline or proposed centerline of the highway.

9 **(2)** Subsection (1) does not apply to any of the following:

10 (a) The purchase of any land that is acquired as compensatory mitigation for
11 another wetland, as defined in s. 23.32 (1), that will suffer an adverse impact by
12 degradation or destruction as part of a highway project.

13 (b) The purchase of any land, easements, or development rights in land, under
14 an agreement executed in the name of the department before the effective date of this
15 paragraph [revisor inserts date], or under a relocation order filed under ch. 32
16 before the effective date of this paragraph [revisor inserts date].

17 **SECTION 1856.** 86.30 (2) (a) 1. of the statutes is amended to read:

18 86.30 **(2)** (a) 1. Except as provided in pars. (b), (d) and (dm), sub. (10) and s.
19 86.303, the amount of transportation aids payable by the department to each county
20 shall be the aids amount calculated under subd. 2. and to each municipality shall be
21 the aids amount calculated under subd. 2. or 3., whichever is greater. If the amounts
22 calculated for a municipality under subd. 2. or 3. are the same, transportation aids
23 to that municipality shall be paid under subd. 2.

24 **SECTION 1857.** 86.30 (2) (a) 3. f. of the statutes is repealed.

25 **SECTION 1858.** 86.30 (2) (a) 3. g. of the statutes is amended to read:

1 86.30 (2) (a) 3. g. In calendar year years 1998 and thereafter 1999, \$1,596.

2 **SECTION 1859.** 86.30 (2) (a) 3. h. of the statutes is created to read:

3 86.30 (2) (a) 3. h. In calendar year 2000 and thereafter, \$1,704.

4 **SECTION 1862.** 86.30 (9) (b) of the statutes is amended to read:

5 86.30 (9) (b) For the purpose of calculating and distributing aids under sub. (2),
6 the amounts for aids to counties are ~~\$70,644,200 in calendar year 1997 and~~
7 ~~\$78,744,300 in calendar year~~ years 1998 and 1999, and \$84,059,500 in calendar year
8 2000 and thereafter. These amounts, to the extent practicable, shall be used to
9 determine the statewide county average cost-sharing percentage in the particular
10 calendar year.

11 **SECTION 1863.** 86.30 (9) (c) of the statutes is amended to read:

12 86.30 (9) (c) For the purpose of calculating and distributing aids under sub. (2),
13 the amounts for aids to municipalities are ~~\$222,255,300 in calendar year 1997 and~~
14 ~~\$247,739,100 in calendar year~~ years 1998 and 1999, and \$264,461,500 in calendar
15 year 2000 and thereafter. These amounts, to the extent practicable, shall be used to
16 determine the statewide municipal average cost-sharing percentage in the
17 particular calendar year.

18 **SECTION 1863m.** 86.30 (10) of the statutes is created to read:

19 86.30 (10) AID PAYMENTS FOR CALENDAR YEAR 2001. (a) 1. For calendar year 2001,
20 the department shall determine the percentage change between the amount of
21 moneys appropriated for distribution under this section to counties for calendar year
22 2001 and the amount of moneys appropriated for distribution under this section to
23 counties for calendar year 2000.

24 2. Notwithstanding sub. (2) (a), (b) and (d) and s. 86.303 (5) (e), (f), (h) and (i),
25 the amount of aid payable to each county in calendar year 2001 shall be the amount

1 paid to that county for calendar year 2000, plus an amount equal to the percentage
2 determined under subd. 1. of the amount paid to the county for calendar year 2000.

3 (b) 1. For calendar year 2001, the department shall determine the percentage
4 change between the amount of moneys appropriated for distribution under this
5 section to municipalities for calendar year 2001 and the amount of moneys
6 appropriated for distribution under this section to municipalities for calendar year
7 2000.

8 2. Notwithstanding sub. (2) (a), (b) and (d) and s. 86.303 (5) (e), (f), (h) and (i),
9 the amount of aid payable to each municipality in calendar year 2001 shall be the
10 amount paid to that municipality for calendar year 2000, plus an amount equal to
11 the percentage determined under subd. 1. of the amount paid to the municipality for
12 calendar year 2000.

13 **SECTION 1863md.** 86.30 (11) of the statutes is created to read:

14 **86.30 (11) LOCAL SEGREGATED ACCOUNT REQUIRED.** (a) Notwithstanding sub. (2),
15 the department may not pay state aid under this section to a municipality or county
16 unless the municipality or county does all of the following:

17 1. Establishes and administers a separate segregated account from which
18 moneys may be used only for purposes related to local highways.

19 2. Deposits in the account established under subd. 1. all of the following:

20 a. All moneys received from this state and from the federal government for local
21 highway purposes.

22 b. All local moneys required by this state, or by the federal government, to
23 match moneys described under subd. 2. a. as a condition of receiving or expending
24 those state or federal moneys.

1 c. All local moneys allocated for local highway purposes by the local governing
2 body.

3 d. All moneys received from a local revenue source that is dedicated to local
4 highways.

5 (b) If a municipality or county does not meet the requirements under par. (a)
6 at the time that aid should be paid under this section, the department shall withhold
7 the aid payment until the municipality or county meets the requirements under par.
8 (a). When the municipality or county meets the requirements under par. (a), the
9 department shall pay the aid withheld under this paragraph, without interest,
10 except that, if the municipality or county fails to meet the requirements under par.
11 (a) within 180 days after the time that the aid should be paid, that aid is forfeited and
12 may not be paid to that municipality or county. Aid that is forfeited under this
13 paragraph shall be counted under sub. (2) as if the aid had been paid.

14 (c) The department, in consultation with the representatives appointed under
15 s. 86.303 (5) (am), shall promulgate rules implementing this subsection. The
16 department may not require any eligible applicant to do any of the following:

17 1. Pay expenses related to law enforcement using moneys from an account
18 established under this subsection.

19 2. Maintain separate checking accounts to implement this subsection, if the
20 eligible applicant implements this subsection by segregating revenues and
21 expenditures described in this subsection in the eligible applicant's bookkeeping
22 system.

23 **SECTION 1864.** 86.302 (title) of the statutes is repealed and recreated to read:

24 **86.302 (title) Local roads; inventory.**

1 **SECTION 1865.** 86.302 (1) of the statutes is renumbered 86.302 (1g) and
2 amended to read:

3 **86.302 (1g)** Except as provided in sub. (1m), beginning on January 1, 2001, the
4 board of every town, village and county, and the governing body of every city, shall
5 file with the department ~~and with the county clerk~~ not later than December 15 of
6 every ~~odd-numbered~~ year, a certified plat of such ~~town, village, city~~ the municipality
7 or county showing the roads and streets highways under their ~~its~~ jurisdiction and the
8 mileage thereof to be open and used for travel as of the succeeding January 1, ~~which~~
9 ~~may be used by the.~~ The department may use the plats in making computations of
10 transportation aids. One-half of the mileage of roads ~~or streets~~ highways on
11 boundary lines shall be considered as lying in each ~~town, village, city~~ municipality
12 or county.

13 **SECTION 1866.** 86.302 (1d) of the statutes is created to read:

14 **86.302 (1d)** (a) “Highway” has the meaning given in s. 340.01 (22).

15 (b) “Municipality” means a city, village or town.

16 **SECTION 1867.** 86.302 (1m) (a) of the statutes is renumbered 86.302 (1m) (a)
17 1. and amended to read:

18 **86.302 (1m)** (a) 1. ~~The board of a town, village or county and the governing body~~
19 ~~of a city need not file a certified plat under sub. (1) if the town, village,~~ In lieu of filing
20 a certified plat under sub. (1g), if a municipality or county or city has not added or
21 deleted jurisdictional mileage since filing its last preceding certified plat under sub.
22 ~~(1) (1g), its board or governing body may file a certified statement to that effect with~~
23 the department.

24 **SECTION 1868.** 86.302 (1m) (a) 2. of the statutes is created to read:

1 86.302 **(1m)** (a) 2. Notwithstanding subd. 1., the department may require every
2 municipality and county to file a certified plat under sub. (1g) with the department
3 in the year after the year in which a federal decennial census is conducted.

4 **SECTION 1869.** 86.302 (1m) (b) of the statutes is amended to read:

5 86.302 **(1m)** (b) Upon incorporation of a village or city, the board of the village
6 and the governing body of the city shall file with the department ~~and with the county~~
7 ~~clerk~~ a certified plat of the village or city showing the roads and streets highways
8 under its jurisdiction and the mileage thereof to be open and used for travel as of the
9 date of incorporation, which may be used by the department in making computations
10 of transportation aids. ~~One-half of the mileage of roads or streets~~ highways on
11 boundary lines shall be considered as lying in the village or city.

12 **SECTION 1870.** 86.302 (2) of the statutes is amended to read:

13 86.302 **(2)** Not later than December 15, 2001, and biennially thereafter, each
14 municipality and county shall assess the physical condition of highways under its
15 jurisdiction, using a pavement rating system approved by the department and report
16 the results of that assessment to the department. The department shall assess the
17 accuracy of mileage or other data concerning highways reported by municipalities
18 and counties and may use field investigations to verify a portion of the data
19 constituting a valid random sample or such specialized sample as the department
20 considers appropriate. The department shall cooperate with and provide assistance
21 to local units of government in their jurisdictional mileage determination efforts
22 under this subsection. The department shall inventory and verify all road mileage
23 in a county or municipality once every 10 years. Information collected under this
24 subsection is inadmissible as evidence, except to show compliance with this
25 subsection.

1 **SECTION 1871.** 86.302 (3) of the statutes is amended to read:

2 86.302 **(3)** For the purposes of transportation aid determinations under s.
3 86.30, the department shall use changes in the road highway mileage of a city,
4 municipality or county, town or village indicated on the certified plat filed under sub.
5 ~~(1) shall be used by the department~~ (1g) in making computations of transportation
6 aids to be paid beginning in the ~~next odd-numbered~~ 2nd year following the
7 ~~odd-numbered~~ year in which the certified plat is filed. The department shall
8 consider the following factors shall be considered by the department:

9 (a) New roads highways.

10 (b) Abandoned roads highways.

11 (c) Changes in jurisdictional mileage responsibilities for existing roads
12 highways.

13 **SECTION 1872.** 86.303 (4) (b) of the statutes is amended to read:

14 86.303 **(4)** (b) In the case of municipalities formed within the previous 6 years,
15 the information needed for the determinations under this section shall be calculated
16 as follows: for those years for which the necessary data does not exist, the data for
17 the new municipality and the municipality from which it was formed shall be
18 combined and the sum shall be apportioned to each municipality in proportion to the
19 total mileage of ~~roads and streets~~ highways under their respective jurisdictions. In
20 making these calculations, the department shall use the certified plats filed under
21 s. 86.302 ~~(1)~~ (1g).

22 **SECTION 1873.** 86.303 (6) (c) (intro.) of the statutes is amended to read:

23 86.303 **(6)** (c) (intro.) The following other costs to the extent ~~to which~~ they are
24 highway related are reportable:

25 **SECTION 1874.** 86.303 (6) (c) 4. of the statutes is amended to read:

1 86.303 (6) (c) 4. ~~Traffic police and street~~ Street lighting costs.

2 **SECTION 1875.** 86.303 (6) (cm) of the statutes is created to read:

3 86.303 (6) (cm) Some portion of law enforcement costs determined by the
4 department, in consultation with the representatives appointed under sub. (5) (am),
5 may be reported as eligible cost items. The department may establish different
6 portions under this paragraph for different classes of counties or municipalities.

7 **SECTION 1875cb.** 86.31 (1) (am) of the statutes is amended to read:

8 86.31 (1) (am) “County highway improvement program district committee”
9 means a committee established by the department by rule under sub. (6) (f)
10 consisting of ~~not more than 5 county executives or county board chairpersons in~~
11 ~~counties that do not have county executives, or their designees,~~ all of the county
12 highway commissioners from counties within a county highway improvement
13 program district.

14 **SECTION 1875cd.** 86.31 (1) (f) of the statutes is created to read:

15 86.31 (1) (f) “Street” has the meaning given in s. 340.01 (64).

16 **SECTION 1875ce.** 86.31 (2) (a) of the statutes is amended to read:

17 86.31 (2) (a) The department shall administer a local roads improvement
18 program to accelerate the improvement of seriously deteriorating local roads by
19 reimbursing political subdivisions for improvements. The selection of improvements
20 that may be funded under the program shall be performed by officials of each political
21 subdivision, consistent with the requirements of subs. (3), (3g) ~~and~~, (3m) and (3r).
22 The department shall notify each county highway commissioner of any deadline that
23 affects eligibility for reimbursement under the program no later than 15 days before
24 such deadline.

25 **SECTION 1875cg.** 86.31 (2) (b) of the statutes is amended to read:

1 86.31 (2) (b) Except as provided in par. (d), improvements for highway
2 construction projects funded under the program shall be under contracts. Such
3 contracts shall be awarded on the basis of competitive bids and shall be awarded to
4 the lowest responsible bidder. If a city, ~~village or town~~ or village does not receive a
5 responsible bid for an improvement, the city, ~~village or town~~ or village may contract
6 with a county for the improvement. A town may contract with a county for the
7 improvement subject to the criteria and procedures promulgated as rules under sub.
8 (6) (h).

9 **SECTION 1875dc.** 86.31 (2) (d) 1. of the statutes is repealed.

10 **SECTION 1875dd.** 86.31 (2) (d) 1m. of the statutes is created to read:

11 86.31 (2) (d) 1m. The county highway department demonstrates that it is
12 cost-effective for it to perform the work and that competitive bidding is to be used
13 for improvements with an estimated total cost at least equal to the total funds
14 allocated for its county trunk highway improvements under the program during the
15 current biennium.

16 **SECTION 1875de.** 86.31 (2) (d) 2. of the statutes is repealed.

17 **SECTION 1875df.** 86.31 (2) (d) 3. of the statutes is repealed.

18 **SECTION 1875dg.** 86.31 (2) (d) 5. of the statutes is renumbered 86.31 (2) (d) 5.
19 (intro.) and amended to read:

20 86.31 (2) (d) 5. (intro.) Each county highway improvement program district
21 committee shall be responsible for ensuring compliance with this paragraph. do all
22 of the following with respect to any work to be performed by any county highway
23 department within the county highway improvement program district:

24 **SECTION 1875dh.** 86.31 (2) (d) 5. a. and b. of the statutes are created to read:

1 86.31 **(2)** (d) 5. a. Review the proposed work and determine that it is
2 cost-effective for the county highway department to perform the work.

3 b. Approve the proposed work prior to its being performed by the county
4 highway department.

5 **SECTION 1875di.** 86.31 (3) (b) (intro.) of the statutes is amended to read:

6 86.31 **(3)** (b) (intro.) From the appropriation under s. 20.395 (2) (fr), after first
7 deducting the funds allocated under subs. (3g) ~~and~~, (3m) and (3r), the department
8 shall allocate funds for entitlement as follows:

9 **SECTION 1875f.** 86.31 (3m) of the statutes is amended to read:

10 86.31 **(3m)** TOWN ROAD IMPROVEMENTS. From the appropriation under s. 20.395
11 (2) (fr), the department shall allocate \$2,000,000 in fiscal year 1999–2000 and
12 \$500,000 in each following fiscal year to fund town road improvements with eligible
13 costs totaling \$100,000 or more. The funding of improvements under this subsection
14 is in addition to the allocation of funds for entitlements under sub. (3).

15 **SECTION 1875fd.** 86.31 (3r) of the statutes is created to read:

16 86.31 **(3r)** MUNICIPAL STREET IMPROVEMENTS. From the appropriation under s.
17 20.395 (2) (fr), the department shall allocate \$1,250,000 in fiscal year 1999–2000,
18 and \$750,000 in each fiscal year thereafter, to fund municipal street improvement
19 projects having total estimated costs of \$250,000 or more. The funding of
20 improvements under this subsection is in addition to the allocation of funds for
21 entitlements under sub. (3).

22 **SECTION 1875gc.** 86.31 (6) (d) of the statutes is amended to read:

23 86.31 **(6)** (d) Procedures for reimbursements for county trunk highway
24 improvements under sub. (3g) ~~and~~, for town road improvements under sub. (3m) and
25 for municipal street improvements under sub. (3r).

1 **SECTION 1875gd.** 86.31 (6) (g) of the statutes is created to read:

2 86.31 **(6)** (g) Specific criteria for making determinations of cost-effectiveness
3 under sub. (2) (d) 5. a. and procedures for review by the department of disputes
4 relating to whether proposed work to be performed by a county highway department
5 is cost-effective for purposes of sub. (2) (d) 5. a.

6 **SECTION 1875ge.** 86.31 (6) (h) of the statutes is created to read:

7 86.31 **(6)** (h) Criteria and procedures for contracting with a county for a town
8 road improvement that includes at least all of the following:

9 1. A requirement that a written and sealed estimate of the cost of the
10 improvement that includes the source of the estimate be prepared prior to the time
11 set for the opening of bids for the improvement and not be opened until after the
12 opening of all bids.

13 2. A requirement that all bids may be rejected and the contract awarded to a
14 county for the improvement if the lowest bid exceeds the cost estimate under subd.
15 1. by at least 10% and the town board notifies the 2 lowest bidders or, if only one bid
16 was received, the bidder to provide information on the accuracy of the cost estimate
17 under subd. 1.

18 3. A requirement that the amount of the contract with a county for the
19 improvement be at least 10% below the lowest bid received for the improvement.

20 4. A provision that permits rebidding if the amount of the proposed contract
21 with a county for the improvement is less than 10% below the lowest bid received for
22 the improvement.

23 **SECTION 1876e.** 87.30 (1) (d) of the statutes is created to read:

24 87.30 **(1)** (d) For an amendment to a floodplain zoning ordinance that affects
25 an activity that meets all of the requirements under s. 281.165 (2) or (3) (a), the

1 department may not proceed under this subsection, or otherwise review the
2 amendment, to determine whether the ordinance, as amended, is insufficient.

3 **SECTION 1876m.** 88.01 (8m) of the statutes is created to read:

4 88.01 **(8m)** “Duck Creek Drainage District” has the meaning given in s. 30.01
5 (1nm).

6 **SECTION 1877.** 88.15 of the statutes is created to read:

7 **88.15 Drainage board grants. (1)** From the appropriation under s. 20.115
8 (7) (d), the department of agriculture, trade and consumer protection shall make
9 grants to boards to assist boards to comply with this chapter and rules promulgated
10 under this chapter. A grant under this section may not exceed 60% of the costs
11 incurred by the board to comply with this chapter and rules promulgated under this
12 chapter.

13 **(2)** The department of agriculture, trade and consumer protection shall
14 promulgate rules for the administration of the program under this section.

15 **(3)** The department of agriculture, trade and consumer protection may not
16 make grants under this section after June 30, 2006.

17 **SECTION 1877d.** 88.31 (7m) of the statutes is created to read:

18 88.31 **(7m)** The Duck Creek Drainage District is exempt from the permit
19 requirements and procedures under subs. (1) to (7).

20 **SECTION 1877e.** 88.31 (8) (intro.) of the statutes is amended to read:

21 88.31 **(8)** (intro.) Subject to other restrictions imposed by this chapter, a
22 drainage board which has obtained a permit under this chapter all of the permits as
23 required under this chapter and ch. 30 may:

24 **SECTION 1877f.** 88.35 (5m) of the statutes is amended to read:

1 88.35 (5m) If navigable waters are affected by the proposed drainage, the
2 drainage board shall obtain a permit under s. 88.31. This subsection does not apply
3 to the Duck Creek Drainage District.

4 **SECTION 1877j.** 88.62 (3) of the statutes is renumbered 88.62 (3) (a) and
5 amended to read:

6 88.62 (3) (a) If drainage work is undertaken in navigable waters, the drainage
7 board shall obtain a permit under s. 30.20 or 88.31 or ch. 31, as directed by the
8 department of natural resources, except as provided in par. (b).

9 **SECTION 1877k.** 88.62 (3) (b) of the statutes is created to read:

10 88.62 (3) (b) If drainage work is undertaken in navigable waters located in the
11 Duck Creek Drainage District, the board for that district shall obtain a permit under
12 s. 30.20 or ch. 31, as directed by the department of natural resources.

13 **SECTION 1877m.** 88.72 (3) of the statutes is amended to read:

14 88.72 (3) At the hearing on the petition, any interested person may appear and
15 contest its sufficiency and the necessity for the work. If the drainage board finds that
16 the petition has the proper number of signers and that to afford an adequate outlet
17 it is necessary to remove dams or other obstructions from waters and streams which
18 may be navigable, or to straighten, clean out, deepen or widen any waters or streams
19 either within or beyond the limits of the district, the board shall ~~file an application~~
20 ~~with the department of natural resources as provided in s. 30.20 or 88.31, as directed~~
21 ~~by the department of natural resources. Thereafter, proceedings shall be had as~~
22 ~~provided in s. 30.20 or 88.31 insofar as the same is applicable~~ obtain any permit that
23 is required under this chapter or ch. 30 or 31.

24 **SECTION 1877p.** 88.72 (4) of the statutes is amended to read:

1 88.72 (4) Within 30 days after the department of natural resources has issued
2 a permit under s. 30.20 or 88.31 all of the permits as required under this chapter and
3 chs. 30 and 31, the board shall proceed to estimate the cost of the work, including the
4 expenses of the proceeding together with the damages that will result from the work,
5 and shall, within a reasonable time, award damages to all lands damaged by the
6 work and assess the cost of the work against the lands in the district in proportion
7 to the assessment of benefits then in force.

8 **SECTION 1903.** 91.75 (1) of the statutes is repealed and recreated to read:

9 91.75 (1) A minimum lot size is specified.

10 **SECTION 1909m.** 92.05 (3) (L) of the statutes is created to read:

11 92.05 (3) (L) *Technical assistance; performance standards.* The department
12 shall provide technical assistance to county land conservation committees and local
13 units of government for the development of ordinances that implement standards
14 adopted under s. 92.07 (2), 92.105 (1), 92.15 (2) or (3) or 281.16 (3). The department's
15 technical assistance shall include preparing model ordinances, providing data
16 concerning the standards and reviewing draft ordinances to determine whether the
17 draft ordinances comply with applicable statutes and rules.

18 **SECTION 1909p.** 92.07 (2) of the statutes is amended to read:

19 92.07 (2) **STANDARDS.** Each land conservation committee may develop and
20 adopt standards and specifications for management practices to control erosion,
21 sedimentation and nonpoint source water pollution. The standards and
22 specifications for agricultural facilities and practices that are constructed or begun
23 on or after October 14, 1997, and, if cost-sharing is available to the owner or operator
24 under s. 92.14, 281.16 (5) or 281.65 or from any other source, for agricultural facilities
25 and practices that are constructed or begun before that date shall be consistent with

1 the performance standards, prohibitions, conservation practices and technical
2 standards under s. 281.16 (3). The land conservation committee shall use the rules
3 promulgated under s. 281.16 (3) (e) to determine whether cost-sharing is available.

4 **SECTION 1909w.** 92.08 of the statutes is repealed.

5 **SECTION 1910e.** 92.10 (3) of the statutes is repealed.

6 **SECTION 1910h.** 92.10 (4) (c) of the statutes is amended to read:

7 92.10 (4) (c) *Plan assistance.* The department shall assist land conservation
8 committees in preparing land and water resource management plans. The
9 department may allocate funds appropriated under s. 20.115 (7) (c) to land
10 conservation committees in identified priority counties to cover up to 50% of the cost
11 of preparing land and water resource management plans.

12 **SECTION 1913b.** 92.10 (6) (a) of the statutes is repealed and recreated to read:

13 92.10 (6) (a) *Plan preparation.* A land conservation committee shall prepare
14 a land and water resource management plan that, at a minimum, does all of the
15 following:

16 1. Includes an assessment of water quality and soil erosion conditions
17 throughout the county, including any assessment available from the department of
18 natural resources.

19 2. Specifies water quality objectives for each water basin, priority watershed,
20 as defined in s. 281.65 (2) (c), and priority lake, as defined in s. 281.65 (2) (be).

21 3. Identifies the best management practices to achieve the objectives under
22 subd. 2. and to achieve the tolerable erosion level under s. 92.04 (2) (i).

23 4. Identifies applicable performance standards and prohibitions related to the
24 control of pollution from nonpoint sources, as defined in s. 281.65 (2) (b), and to soil

1 erosion control, including those under this chapter and chs. 281 and 283 and ss.
2 59.692 and 59.693.

3 5. Includes a multiyear description of planned county activities, and priorities
4 for those activities, related to land and water resources, including those designed to
5 meet the objectives specified under subd. 2. and to ensure compliance with the
6 standards and prohibitions identified under subd. 4.

7 6. Describes a system to monitor the progress of activities described in the plan.

8 7. Includes a strategy to provide information and education related to soil and
9 water resource management.

10 8. Describes methods for coordinating activities described in the plan with
11 programs of other local, state and federal agencies.

12 **SECTION 1913m.** 92.10 (8) of the statutes is created to read:

13 92.10 (8) DUTIES OF THE DEPARTMENT OF NATURAL RESOURCES. The department
14 of natural resources shall provide counties with assistance in land and water
15 resource management planning, including providing available water quality data
16 and information, providing training and support for water resource assessments and
17 appraisals and providing related program information.

18 **SECTION 1915b.** 92.105 (1) of the statutes is amended to read:

19 92.105 (1) ESTABLISHMENT. A land conservation committee shall establish soil
20 and water conservation standards. The standards and specifications for agricultural
21 facilities and practices that are constructed or begun on or after October 14, 1997,
22 and, if cost-sharing is available to the farmer under s. 92.14, ~~281.16 (5)~~ or 281.65 or
23 from any other source, for agricultural facilities and practices that are constructed
24 or begun before that date shall be consistent with the performance standards,

1 prohibitions, conservation practices and technical standards under s. 281.16 (3). It
2 shall submit these standards to the board for review.

3 **SECTION 1922w.** 92.14 (2) (c) of the statutes is amended to read:

4 92.14 (2) (c) Providing statewide financial and technical assistance for land
5 and water conservation activities at the county level.

6 **SECTION 1922y.** 92.14 (2) (j) of the statutes is amended to read:

7 92.14 (2) (j) Enhancing the administration and coordination of state nonpoint
8 source water pollution abatement activities by the department and the department
9 of natural resources, including providing a single process for grant application,
10 funding allocation, reporting and evaluation.

11 **SECTION 1923w.** 92.14 (3) (intro.) of the statutes is amended to read:

12 92.14 (3) BASIC ALLOCATIONS TO COUNTIES. (intro.) To help counties meet
13 ~~administrative and technical operating costs in fund~~ their land and water
14 conservation activities, the department shall award grants an annual grant from the
15 appropriation under s. 20.115 (7) (c) or (qd) or s. 20.866 (2) (we) to any county land
16 conservation committee which that has a ~~workload allocation~~ land and water
17 resource management plan approved by the department under s. ~~92.08 (2)~~ 92.10 (4)
18 (d), and which ~~that~~, by county board action, has resolved to ~~match any moneys~~
19 ~~granted under this subsection with an equal amount of county moneys~~ provide any
20 matching funds required under sub. (5g). The county shall may use the grant for
21 county land and water resource management planning and for any of the following
22 purposes, consistent with the approved land and water resource management plan:

23 (a) County land conservation personnel to administer and implement activities
24 directly related to any of the following:

1 **SECTION 1924b.** 92.14 (3) (a) and (b) of the statutes are renumbered 92.14 (3)

2 (a) 1. and 2.

3 **SECTION 1924c.** 92.14 (3) (c) of the statutes is repealed.

4 **SECTION 1924d.** 92.14 (3) (d) and (e) of the statutes are renumbered 92.14 (3)

5 (a) 4. and 5.

6 **SECTION 1924f.** 92.14 (3) (f) of the statutes is created to read:

7 92.14 (3) (f) Training required under s. 92.18 or any other training necessary
8 to prepare personnel to perform job duties related to this section or s. 281.65.

9 **SECTION 1924h.** 92.14 (3) (g) of the statutes is created to read:

10 92.14 (3) (g) Technical assistance, education and training, ordinance
11 development or administration related to this chapter or s. 281.65.

12 **SECTION 1924m.** 92.14 (3m) (title) of the statutes is repealed.

13 **SECTION 1924n.** 92.14 (3m) of the statutes is renumbered 92.14 (3) (b), and
14 92.14 (3) (b) (intro.), as renumbered, is amended to read:

15 92.14 (3) (b) (intro.) ~~From the appropriation under s. 20.115 (7) (c) or (qd) or~~
16 ~~20.866 (2) (we), the department shall award grants to counties or Grants to farmers~~
17 for implementing best management practices required under a shoreland
18 management ordinance enacted under s. 92.17, including reimbursement for all of
19 the following:

20 **SECTION 1924q.** 92.14 (4) (intro.) of the statutes is repealed.

21 **SECTION 1924s.** 92.14 (4) (a) of the statutes is renumbered 92.14 (3) (c).

22 **SECTION 1925b.** 92.14 (4) (b) of the statutes is renumbered 92.14 (3) (d).

23 **SECTION 1925e.** 92.14 (4) (c) of the statutes is renumbered 92.14 (3) (e) and
24 amended to read:

1 92.14 **(3)** (e) Construction of a facility or system related to animal waste
2 management by a farmer who has received a notice of discharge under ch. 283 or
3 management practices required under a notice to a farmer under s. 281.20 (3). ~~In~~
4 ~~awarding grants under this paragraph, the department shall give preference to~~
5 ~~farmers who have received a notice of discharge under s. 281.20 (3) or ch. 283. The~~
6 amount of a grant for management practices required under a notice to a farmer
7 under s. 281.20 (3) shall be based on the cost of the method of controlling nonpoint
8 source pollution which that the department determines to be the most cost-effective
9 and may not exceed 70% of the total cost of that method. ~~The department may issue~~
10 ~~grants directly to farmers under this paragraph.~~

11 **SECTION 1925g.** 92.14 (4m) of the statutes is repealed.

12 **SECTION 1925i.** 92.14 (4r) of the statutes is repealed.

13 **SECTION 1925k.** 92.14 (5) of the statutes is repealed.

14 **SECTION 1925m.** 92.14 (5g) of the statutes is created to read:

15 92.14 **(5g)** MATCHING FUNDS. If a grant under sub. (3) provides funding for
16 salary and fringe benefits for more than one county staff person, a county shall
17 provide matching funds equal to 30% of the cost of salary and fringe benefits for the
18 2nd staff person and 50% of the cost of salary and fringe benefits for any additional
19 staff persons for whom the grant provides funding.

20 **SECTION 1925p.** 92.14 (5r) of the statutes is created to read:

21 92.14 **(5r)** ANNUAL GRANT REQUEST. Every land conservation committee shall
22 prepare annually a grant request that describes the land and water resource staffing
23 needs and activities to be undertaken or funded by the county under this chapter and
24 ss. 281.65 and 281.66 and the funding needed for those purposes. The grant request

1 shall be consistent with the county's plan under s. 92.10. The land conservation
2 committee shall submit the grant request to the department.

3 **SECTION 1925r.** 92.14 (6) (a) of the statutes is repealed.

4 **SECTION 1925t.** 92.14 (6) (b) of the statutes is amended to read:

5 92.14 **(6)** (b) The department, ~~in cooperation with~~ and the department of
6 natural resources, shall prepare an annual grant allocation plan, ~~that is consistent~~
7 ~~with the spending levels approved under par. (a),~~ identifying the amounts to be spent
8 annually for land and water resource management projects to be funded provided to
9 counties under this section and the general purposes of those projects, which it shall
10 specify ss. 281.65 and 281.66. In the allocation plan, the departments shall attempt
11 to provide funding under this section for an average of 3 staff persons per county with
12 full funding for the first staff person, 70% funding for the 2nd staff person and 50%
13 funding for any additional staff persons and to provide an average of \$100,000 per
14 county for cost-sharing grants. The department shall submit that plan to the board.

15 **SECTION 1926b.** 92.14 (6) (c) of the statutes is repealed.

16 **SECTION 1926c.** 92.14 (6) (d) of the statutes is amended to read:

17 92.14 **(6)** (d) The board shall review the annual allocation plan submitted to
18 it under par. (b) and make recommendations to the department of agriculture, trade
19 and consumer protection and the department of natural resources on approval,
20 modification or disapproval of the plan. ~~The department shall review and approve~~
21 ~~or disapprove the plan and shall notify the board of the department's final action on~~
22 ~~the plan.~~

23 **SECTION 1926e.** 92.14 (6) (e) of the statutes is repealed.

24 **SECTION 1926f.** 92.14 (6) (f) of the statutes is repealed.

25 **SECTION 1926g.** 92.14 (6) (g) of the statutes is amended to read:

1 92.14 (6) (g) Every ~~project grant~~ awarded ~~a grant to a county~~ under this section
2 ~~and s. 281.65~~ shall be consistent with the plans under s. 92.15, 1985 stats., and under
3 this section and ss. ~~92.08~~, 92.10 and 281.65.

4 **SECTION 1926i.** 92.14 (6) (gm) of the statutes is created to read:

5 92.14 (6) (gm) A county may not provide cost-sharing funds using funds
6 provided under this section in an amount that exceeds 70% of the cost of a project,
7 except in cases of economic hardship, as defined by the department by rule.

8 **SECTION 1926j.** 92.14 (6) (h) 1. (intro.) of the statutes is amended to read:

9 92.14 (6) (h) 1. (intro.) ~~The department~~ A county may not make a grant under
10 ~~this section~~ provide cost-sharing funds using funds provided under this section for
11 the construction of any facility or system related to animal waste management
12 unless all of the following conditions are met:

13 **SECTION 1926k.** 92.14 (6) (h) 1. e. of the statutes is repealed.

14 **SECTION 1926m.** 92.14 (6) (h) 2. of the statutes is repealed.

15 **SECTION 1926p.** 92.14 (6) (h) 4. of the statutes is repealed.

16 **SECTION 1926q.** 92.14 (6) (i) 2. of the statutes is amended to read:

17 92.14 (6) (i) 2. Conduct all land management and pollutant management
18 activities in substantial accordance with the performance standards, prohibitions,
19 conservation practices and technical standards under s. 281.16 and with plans
20 approved under this section, under s. 92.15, 1985 stats., and under ss. ~~92.08~~, 92.10
21 and 281.65, or to repay the cost-sharing funds.

22 **SECTION 1926s.** 92.14 (6) (j) of the statutes is repealed.

23 **SECTION 1926t.** 92.14 (6) (L) of the statutes is amended to read:

24 92.14 (6) (L) ~~The department may make a~~ A county may provide cost-sharing
25 funds from a grant under this section to replace a structure or facility at a new

1 location, rather than to repair or reconstruct the structure or facility, if the relocation
2 reduces water pollution and replacement is cost-effective compared to repairing or
3 reconstructing the structure or facility.

4 **SECTION 1926u.** 92.14 (6) (m) of the statutes is created to read:

5 92.14 (6) (m) The department of agriculture, trade and consumer protection
6 and the department of natural resources shall assist counties in conducting the
7 activities for which grants under sub. (3) may be used.

8 **SECTION 1926v.** 92.14 (10) of the statutes is amended to read:

9 92.14 (10) TRAINING. ~~The county may use a grant under this section for training~~
10 ~~required under s. 92.18 or for any other training necessary to prepare personnel to~~
11 ~~perform job duties related to this section.~~ The department may contract with any
12 person for services to administer or implement this chapter, including information
13 and education and training.

14 **SECTION 1926w.** 92.14 (11) of the statutes is repealed.

15 **SECTION 1926x.** 92.14 (14) of the statutes is amended to read:

16 92.14 (14) APPLICATION, ALLOCATION, REPORTING AND EVALUATION FORMS. The
17 department, jointly with the department of natural resources, shall develop a single
18 set of grant application, reporting and evaluation forms for use by counties receiving
19 grants under this section and s. ss. 281.65 and 281.66. The department, jointly with
20 the department of natural resources, shall implement a single process for grant
21 application, funding allocation, reporting and evaluation for counties receiving
22 grants under this section and ss. 281.65 and 281.66.

23 **SECTION 1926y.** 92.14 (14m) of the statutes is created to read:

24 92.14 (14m) COORDINATION. The department of agriculture, trade and
25 consumer protection and the department of natural resources, jointly, shall review

1 applications from counties for grants under sub. (5r) and, for projects and activities
2 selected to receive funding shall determine whether to provide funding under this
3 section or under s. 281.65 or 281.66.

4 **SECTION 1926ye.** 92.15 (4) of the statutes is amended to read:

5 92.15 (4) A local governmental unit may not apply a regulation under sub. (2)
6 or (3) to a livestock operation that exists on October 14, 1997, unless the local
7 governmental unit determines, using the rules promulgated under s. 281.16 (3) (e),
8 that cost-sharing is available to the owner or operator of the livestock operation
9 under s. 92.14, ~~281.16 (5)~~ or 281.65 or from any other source.

10 **SECTION 1926ym.** 92.17 (2m) of the statutes is amended to read:

11 92.17 (2m) AUTHORITY TO ENFORCE ORDINANCE. A county, ~~city, village or town~~
12 may not enforce a shoreland management ordinance unless the county uses funds
13 have been appropriated provided under s. 92.14 (3) for grants for the purposes under
14 s. 92.14 (3m) (3) (b). A city, village or town may not enforce a shoreland management
15 ordinance unless the county in which the city, village or town is located uses funds
16 provided under s. 92.14 (3) for grants for the purposes under s. 92.14 (3) (b).

17 **SECTION 1926yr.** 92.18 (2m) of the statutes is created to read:

18 92.18 (2m) If a person is certified under this section to review plans for, or
19 conduct inspections of, a type of agricultural engineering practice at one of the levels
20 under sub. (2) (c), the department shall allow the person to review plans for, or
21 conduct inspections of, all types of agricultural engineering practices at that same
22 level without requiring any additional certification.

23 **SECTION 1927.** 93.06 (1n) of the statutes is created to read:

1 **93.06 (1n) ELECTRONIC PROCESSING.** (a) Accept and process by electronic means
2 applications and payments for licenses, permits, registrations and certificates that
3 are issued by the department.

4 (b) Accept and process by electronic means requests and payments for goods
5 and services that the department is authorized to provide.

6 (c) Promulgate rules specifying fees to cover the department's electronic
7 processing costs under pars. (a) and (b). The fees under this paragraph are in
8 addition to any other fees required to be paid to the department.

9 **SECTION 1928.** 93.06 (12) of the statutes is created to read:

10 **93.06 (12) FEDERAL DAIRY POLICY REFORM.** Provide assistance to organizations
11 to seek the reform of federal milk marketing orders and other federally authorized
12 dairy pricing policies for the benefit of milk producers in this state.

13 **SECTION 1929.** 93.06 (12) of the statutes, as created by 1999 Wisconsin Act ...
14 (this act), is repealed.

15 **SECTION 1930.** 93.06 (13) of the statutes is created to read:

16 **93.06 (13) PLANT PROTECTION AGREEMENTS.** Enter into cooperative agreements
17 with corporations, associations, foundations and individuals to carry out plant
18 protection activities under ch. 94.

19 **SECTION 1930j.** 93.07 (3) of the statutes is amended to read:

20 **93.07 (3) PROMOTION OF AGRICULTURE.** To promote the interests of agriculture,
21 dairying, horticulture, manufacturing, commercial fishing and the domestic arts and
22 to advertise Wisconsin and its dairy, food and agricultural products by conducting
23 campaigns of education throughout the United States and in foreign markets. Such
24 campaigns shall include the distribution of educational and advertising material
25 concerning Wisconsin and its plant, animal, food and dairy products. The

1 department shall coordinate efforts by the state to advertise and promote
2 agricultural products of this state, with the department of commerce where
3 appropriate. The department shall submit its request and plan for market
4 development program expenditures for each biennium with its biennial budget
5 request. The plan shall include the identification and priority of expenditures for
6 each market development program activity. In each fiscal year, the department shall
7 seek federal moneys for the promotion of exports of agricultural products in an
8 amount at least equal to \$130,000 plus the amount of federal moneys received for this
9 purpose in fiscal year 1998–99.

10 **SECTION 1930r.** 93.07 (7) (e) of the statutes is created to read:

11 93.07 (7) (e) On September 1 of each year, to submit a consumer
12 telecommunication services report to the chief clerk of each house of the legislature
13 for distribution to the appropriate standing committees under s. 13.172 (3). The
14 report shall contain all of the following information for the preceding 12 months:

15 1. The types of consumer complaints received by the department regarding
16 telecommunication services, by category.

17 2. The number of consumer complaints in each category reported under subd.
18 1. and the aggregate number of consumer complaints for all categories reported
19 under subd. 1.

20 3. The number of consumer complaints reported under subd. 1. that the
21 department referred to the department of justice for prosecution and the result of
22 those prosecutions.

23 4. A description of the department's efforts to coordinate with the department
24 of justice and the public service commission to respond to and address consumer
25 complaints regarding telecommunication services and the results of those efforts.

1 5. A description of how the services offered by the department to respond to and
2 address consumer complaints regarding telecommunication services differ from
3 those offered by the department of justice and the public service commission.

4 **SECTION 1931v.** 93.135 (1) (intro.) of the statutes is amended to read:

5 93.135 (1) (intro.) The Except as provided in sub. (1m), the department shall
6 require each applicant who is an individual to provide the department with the
7 applicant's social security number as a condition of issuing or renewing any of the
8 following:

9 **SECTION 1932.** 93.135 (1) (b) of the statutes is amended to read:

10 93.135 (1) (b) A license under s. 94.10 ~~(2)~~, (3) or (4) ~~(3g)~~.

11 **SECTION 1932c.** 93.135 (1m) of the statutes is created to read:

12 93.135 (1m) (a) If an individual who applies for the issuance or renewal of a
13 license, registration, registration certificate or certification specified in sub. (1) does
14 not have a social security number, the department shall require the applicant, as a
15 condition of issuing or renewing the license, registration, registration certificate or
16 certification, to submit a statement made or subscribed under oath or affirmation
17 that the applicant does not have a social security number. The statement shall be
18 in the form prescribed by the department of workforce development.

19 (b) A license, registration, registration certificate or certification specified in
20 sub. (1) that is issued in reliance on a statement submitted under par. (a) is invalid
21 if the statement is false.

22 **SECTION 1933.** 93.60 of the statutes is repealed.

23 **SECTION 1933gm.** 93.70 of the statutes is created to read:

24 **93.70 Conservation reserve enhancement program. (1) DEFINITIONS.** In
25 this section:

1 (a) “Conservation easement” has the meaning given in s. 700.40 (1) (a).

2 (b) “Nonprofit conservation organization” has the meaning given in s. 23.0955
3 (1).

4 **(2) STATE PARTICIPATION.** Subject to subs. (3) to (6), the department may expend
5 funds from the appropriation account under s. 20.866 (2) (wf) to improve water
6 quality, erosion control and wildlife habitat through participation by this state in the
7 conservation reserve enhancement program as approved by the secretary of the
8 federal department of agriculture under 16 USC 3834 (f) (4). The department shall
9 administer the program in cooperation with the department of natural resources.

10 **(3) FORMS OF PARTICIPATION.** (a) Land enrolled in the conservation reserve
11 enhancement program may either be subject to a permanent conservation easement
12 or to a contract under which the owner of the land agrees to remove the land from
13 agricultural production. The department shall provide greater financial incentives
14 for landowners to grant permanent easements than to enter into contracts. The
15 department shall provide a financial bonus to landowners who allow public access
16 to enrolled land.

17 (b) The department shall administer the conservation reserve enhancement
18 program so that at least 50% of the acreage of land enrolled in the program is covered
19 by permanent conservation easements under par. (a). If, after 50,000 acres of land
20 have been enrolled in the program, less than 50% of the acreage of land enrolled in
21 the program is covered by permanent conservation easements, the department and
22 the department of natural resources shall review the effectiveness of the program to
23 determine whether the program is meeting its water quality and wildlife habitat
24 objectives and shall report the results of the review to the legislature under s. 13.172
25 (2).

1 (c) On behalf of this state, the department and the department of natural
2 resources shall jointly hold conservation easements entered into for land enrolled in
3 the conservation reserve enhancement program.

4 (d) The department may provide funding from the appropriation under s.
5 20.866 (2) (wf) for a contract under par. (a) only if the contract has a term of 20 years
6 or longer.

7 **(4) GRASSLAND COMPONENT.** (a) If the plan approved by the secretary of the
8 federal department of agriculture authorizes this state to enroll 100,000 or more
9 acres in the conservation resource enhancement program, the department shall
10 administer the program so that at least 30,000 acres are designated for grassland
11 wildlife habitat. If the secretary of the federal department of agriculture authorizes
12 this state to enroll fewer than 100,000 acres, the department shall administer the
13 program so that at least 30% of the acreage of land enrolled in the program is
14 designated for grassland wildlife habitat. The department shall designate for
15 grassland wildlife habitat areas that include the Blue Mounds area in Iowa, Dane
16 and Green counties, the prairie chicken range in Portage, Clark, Taylor and
17 Marathon counties and the western prairie area in Polk and St. Croix counties.

18 (b) The department may not require that land designated for grassland wildlife
19 habitat be riparian land.

20 (c) The department shall provide a financial bonus to landowners who enroll
21 land that is designated for grassland habitat if the land is adjacent to land that is
22 owned by another person and that is enrolled and designated for grassland habitat.
23 The department shall also provide a financial bonus to a landowner who enrolls land
24 that is designated for grassland habitat if the landowner agrees to implement a
25 conservation practice that requires restoration of native prairie vegetation.

1 **(5) PARTICIPATION REQUIREMENTS.** The department may not impose more
2 restrictive requirements for participation in the conservation reserve enhancement
3 program with respect to production and land ownership than are required by the
4 secretary of the federal department of agriculture under 16 USC 3834 (f) (4).

5 **(6) STATE, LOCAL AND NONPROFIT ORGANIZATION INVOLVEMENT.** A nonprofit
6 conservation organization may negotiate contracts or easements under sub. (3) (a)
7 with landowners with the assistance of the department and the department of
8 natural resources. A county may negotiate contracts or easements under sub. (3) (a)
9 with landowners with the assistance of the department and the department of
10 natural resources. In counties that do not choose to participate, the department and
11 the department of natural resources shall negotiate the contracts or easements.

12 **(7) PROHIBITION.** No person may use land enrolled in the conservation reserve
13 enhancement program as a pheasant and quail farm licensed under s. 29.865, a game
14 bird and animal farm licensed under s. 29.867, a fur animal farm licensed under s.
15 29.869 or a deer farm licensed under s. 29.871.

16 **SECTION 1934.** 94.10 of the statutes is repealed and recreated to read:

17 **94.10 Nursery stock; inspection and licensing. (1) DEFINITIONS.** In this
18 section:

19 (a) “Christmas tree grower” means a person who grows evergreen trees for
20 eventual harvest and sale as Christmas trees, except that “Christmas tree grower”
21 does not include a person who grows evergreen trees for eventual harvest and sale
22 as Christmas trees if the person also grows nursery stock for sale and if the person
23 is licensed under sub. (3).

1 (b) “Nonprofit organization” means an organization described in section 501 (c)
2 of the Internal Revenue Code that is exempt from federal income tax under section
3 501 (a) of the Internal Revenue Code.

4 (c) “Nursery” means premises in this state on which a person propagates or
5 grows nursery stock for sale. “Nursery” does not include heeling-in grounds or other
6 premises where a person holds nursery stock for purposes other than propagation or
7 growth.

8 (d) “Nursery dealer” means a person, other than a nursery grower, who sells,
9 offers for sale or distributes nursery stock from a location in this state, except that
10 “nursery dealer” does not include an employe of a person licensed under this section.

11 (e) “Nursery grower” means a person who owns or operates a nursery.

12 (f) “Nursery stock” means plants and plant parts that can be propagated or
13 grown, excluding seeds, sod, cranberry cuttings, annuals and evergreen trees grown
14 for eventual harvest and sale as Christmas trees.

15 (g) “Officially inspected source” means any of the following:

16 1. A nursery dealer licensed under sub. (2).

17 2. A nursery grower licensed under sub. (3).

18 3. A source outside this state that the department recognizes under sub. (10)
19 as an officially inspected source.

20 (j) “Sell” means to transfer ownership, for consideration.

21 **(2) NURSERY DEALER; ANNUAL LICENSE.** (a) *License required.* Except as provided
22 in par. (f), no person may operate as a nursery dealer without an annual license from
23 the department. A nursery dealer license expires on February 20. A nursery dealer
24 license may not be transferred to another person.

1 (b) *Applying for a license.* A person applying for a nursery dealer license under
2 par. (a) shall apply on a form provided by the department. An applicant shall provide
3 all of the following to the department:

4 1. The applicant's legal name and address and any other name under which the
5 applicant does business.

6 2. The address of each location at which the applicant proposes to hold nursery
7 stock for sale.

8 3. The license fee required under par. (c).

9 4. The surcharge required under par. (d), if any.

10 5. Other information reasonably required by the department for licensing
11 purposes.

12 (c) *License fee.* A nursery dealer shall pay the following annual license fee,
13 based on annual purchases calculated according to par. (e):

14 1. If the nursery dealer buys no more than \$5,000 worth of nursery stock for
15 resale, \$30.

16 2. If the nursery dealer buys more than \$5,000 but not more than \$20,000 worth
17 of nursery stock for resale, \$50.

18 3. If the nursery dealer buys more than \$20,000 but not more than \$100,000
19 worth of nursery stock for resale, \$100.

20 4. If the nursery dealer buys more than \$100,000 but not more than \$200,000
21 worth of nursery stock for resale, \$150.

22 5. If the nursery dealer buys more than \$200,000 but not more than \$500,000
23 worth of nursery stock for resale, \$200.

24 6. If the nursery dealer buys more than \$500,000 but not more than \$2,000,000
25 worth of nursery stock for resale, \$300.

1 7. If the nursery dealer buys more than \$2,000,000 worth of nursery stock for
2 resale, \$400.

3 (d) *Surcharge for operating without a license.* In addition to the fee required
4 under par. (c), an applicant for a nursery dealer license shall pay a surcharge equal
5 to the amount of that fee if the department determines that, within 365 days before
6 submitting the application, the applicant operated as a nursery dealer without a
7 license in violation of par. (a). Payment of the surcharge does not relieve the
8 applicant of any other penalty or liability that may result from the violation, but does
9 not constitute evidence of a violation of par. (a).

10 (e) *Calculating annual purchases.* The amount of an applicant's license fee
11 under par. (c) for a license year shall be based on the applicant's purchases of nursery
12 stock during the applicant's preceding fiscal year, except that if the applicant made
13 no purchases of nursery stock during the preceding fiscal year the fee shall be based
14 on the applicant's good faith prediction of purchases during the license year for which
15 the applicant is applying.

16 (f) *Exemptions.* Paragraph (a) does not apply to any of the following:

17 1. A person whose only sales of nursery stock are retail sales totaling less than
18 \$250 annually.

19 2. A person selling or offering to sell nursery stock for the benefit of a nonprofit
20 organization, for a period of not more than 7 consecutive days.

21 **(3) NURSERY GROWER; ANNUAL LICENSE.** (a) *License required.* Except as provided
22 in par. (f), no person may operate as a nursery grower without an annual license from
23 the department. A nursery grower license expires on February 20. A nursery grower
24 license may not be transferred to another person.

1 (b) *Applying for a license.* A person applying for a nursery grower license under
2 par. (a) shall apply on a form provided by the department. An applicant shall provide
3 all of the following to the department:

4 1. The applicant's legal name and address and any other name under which the
5 applicant does business.

6 2. The address of each location in this state at which the applicant operates a
7 nursery, grows evergreen trees for eventual sale as Christmas trees or holds nursery
8 stock or Christmas trees for sale.

9 3. The license fee required under par. (c) and under par. (cm), if applicable.

10 4. The surcharge required under (d), if any.

11 5. Other information reasonably required by the department for licensing
12 purposes.

13 (c) *License fee.* A nursery grower shall pay the following annual license fee,
14 based on annual sales calculated according to par. (e), plus the additional license fee
15 under par. (cm), if applicable:

16 1. If the nursery grower annually sells no more than \$5,000 worth of nursery
17 stock, \$40.

18 2. If the nursery grower annually sells more than \$5,000 but not more than
19 \$20,000 worth of nursery stock, \$75.

20 3. If the nursery grower annually sells more than \$20,000 but not more than
21 \$100,000 worth of nursery stock, \$125.

22 4. If the nursery grower annually sells more than \$100,000 but not more than
23 \$200,000 worth of nursery stock, \$200.

24 5. If the nursery grower annually sells more than \$200,000 but not more than
25 \$500,000 worth of nursery stock, \$350.

1 6. If the nursery grower annually sells more than \$500,000 but not more than
2 \$2,000,000 worth of nursery stock, \$600.

3 7. If the nursery grower annually sells more than \$2,000,000 worth of nursery
4 stock, \$1,200.

5 (cm) *Additional license fee for Christmas tree sales.* A nursery grower that sells
6 Christmas trees shall pay the following additional license fee, based on annual sales
7 calculated according to par. (e):

8 1. If the nursery grower annually sells no more than \$5,000 worth of Christmas
9 trees, \$20.

10 2. If the nursery grower annually sells more than \$5,000 but not more than
11 \$20,000 worth of Christmas trees, \$55.

12 3. If the nursery grower annually sells more than \$20,000 but not more than
13 \$100,000 worth of Christmas trees, \$90.

14 4. If the nursery grower annually sells more than \$100,000 but not more than
15 \$200,000 worth of Christmas trees, \$150.

16 5. If the nursery grower annually sells more than \$200,000 but not more than
17 \$500,000 worth of Christmas trees, \$250.

18 6. If the nursery grower annually sells more than \$500,000 but not more than
19 \$2,000,000 worth of Christmas trees, \$450.

20 7. If the nursery grower annually sells more than \$2,000,000 worth of
21 Christmas trees, \$900.

22 (d) *Surcharge for operating without a license.* In addition to the fee required
23 under par. (c) and under par. (cm), if applicable, an applicant for a nursery grower
24 license shall pay a surcharge equal to the amount of that fee if the department
25 determines that, within 365 days before submitting that application, the applicant

1 operated as a nursery grower without a license in violation of par. (a). Payment of
2 the surcharge does not relieve the applicant of any other penalty or liability that may
3 result from the violation, but does not constitute evidence of a violation of par. (a).

4 (e) *Calculating annual sales.* The amount of an applicant's license fee under
5 par. (c) for a license year shall be based on the applicant's sales of nursery stock
6 during the applicant's preceding fiscal year, except that if the applicant made no
7 sales of nursery stock during the preceding fiscal year the fee shall be based on the
8 applicant's good faith prediction of sales during the license year for which the
9 applicant is applying. If par. (cm) applies to an applicant, the amount of the
10 applicant's additional license fee under par. (cm) for a license year shall be based on
11 the applicant's sales of Christmas trees during the applicant's preceding fiscal year,
12 except that if the applicant made no sales of Christmas trees during the preceding
13 fiscal year the fee shall be based on the applicants good faith prediction of sales
14 during the license year for which the applicant is applying.

15 (f) *Exemptions.* Paragraph (a) does not apply to any of the following:

16 1. A nursery grower whose only sales of nursery stock and Christmas trees are
17 retail sales totaling less than \$250 annually.

18 2. A person growing nursery stock only for sale for the benefit of a nonprofit
19 organization, for a period of not more than 7 days.

20 **(3g)** CHRISTMAS TREE GROWER; ANNUAL LICENSE. (a) *License required.* Except as
21 provided in par. (e), no person may operate as a Christmas tree grower without an
22 annual license from the department. A Christmas tree grower license expires on
23 February 20. A Christmas tree grower license may not be transferred to another
24 person.

1 (b) *Applying for a license.* A person applying for a Christmas tree grower
2 license under par. (a) shall apply on a form provided by the department. An applicant
3 shall provide all of the following to the department:

4 1. The applicant's legal name and address and any other name under which the
5 applicant does business.

6 2. The address of each location in this state at which the applicant grows
7 evergreen trees for eventual sale as Christmas trees or at which the applicant holds
8 Christmas trees for sale.

9 3. The license fee required under par. (c).

10 4. Other information reasonably required by the department for licensing
11 purposes.

12 (c) *License fee.* A Christmas tree grower shall pay the following annual license
13 fee, based on annual sales calculated according to par. (d):

14 1. If the Christmas tree grower annually sells no more than \$5,000 worth of
15 Christmas trees, \$20.

16 2. If the Christmas tree grower annually sells more than \$5,000 but not more
17 than \$20,000 worth of Christmas trees, \$55.

18 3. If the Christmas tree grower annually sells more than \$20,000 but not more
19 than \$100,000 worth of Christmas trees, \$90.

20 4. If the Christmas tree grower annually sells more than \$100,000 but not more
21 than \$200,000 worth of Christmas trees, \$150.

22 5. If the Christmas tree grower annually sells more than \$200,000 but not more
23 than \$500,000 worth of Christmas trees, \$250.

24 6. If the Christmas tree grower annually sells more than \$500,000 but not more
25 than \$2,000,000 worth of Christmas trees, \$450.

1 7. If the Christmas tree grower annually sells more than \$2,000,000 worth of
2 Christmas trees, \$900.

3 (d) *Calculating annual sales.* The amount of an applicant's license fee under
4 par. (c) for a license year shall be based on the applicant's sales of Christmas trees
5 during the applicant's preceding fiscal year, except that if the applicant made no
6 sales during the preceding fiscal year the fee shall be based on the applicant's good
7 faith prediction of sales during the license year for which the applicant is applying.

8 (e) *Exemption.* Paragraph (a) does not apply to a Christmas tree grower whose
9 only sales of Christmas trees are retail sales totaling less than \$250 annually.

10 **(3m)** NOTICE OF NEW LOCATIONS. (a) The holder of a nursery dealer license shall
11 notify the department in writing before adding, during a license year, any new
12 location at which the license holder will hold nursery stock for sale. The license
13 holder shall specify the address of the new location in the notice.

14 (b) The holder of a nursery grower license shall notify the department in
15 writing before adding, during the license year, any new location at which the license
16 holder will operate a nursery, grow evergreen trees for eventual sale as Christmas
17 trees or hold Christmas trees or nursery stock for sale. The license holder shall
18 specify the address of the new location in the notice.

19 (c) The holder of a Christmas tree grower license shall notify the department
20 in writing before adding, during the license year, any new location at which the
21 license holder will grow evergreen trees for eventual sale as Christmas trees or hold
22 Christmas trees for sale.

23 **(4)** NURSERY GROWERS AND DEALERS; RECORDS. (a) *Nursery dealers; records of*
24 *nursery stock received.* A nursery dealer shall keep a record of every shipment of

1 nursery stock received by the nursery dealer. The nursery dealer shall include all
2 of the following in the record:

3 1. A description of the types of nursery stock, and the quantity of nursery stock
4 of each type, included in the shipment.

5 2. The name and address of the source from which the nursery dealer received
6 the shipment.

7 (b) *Nursery growers and dealers; records of shipments to other nursery growers*
8 *and dealers.* Each nursery grower and nursery dealer shall record every shipment
9 of nursery stock that the nursery grower or nursery dealer sells or distributes to
10 another nursery grower or nursery dealer. The nursery grower or nursery dealer
11 shall include all of the following in the record:

12 1. A description of the types of nursery stock, and the quantity of nursery stock
13 of each type, included in the shipment.

14 2. The name and address of the nursery grower or nursery dealer receiving the
15 shipment.

16 (c) *Records retained and made available.* A nursery grower or nursery dealer
17 who is required to keep records under par. (a) or (b) shall retain those records for at
18 least 3 years and shall make those records available to the department for inspection
19 and copying upon request.

20 (5) LABELING NURSERY STOCK. (a) *Nursery stock shipped to grower or dealer.* No
21 person may sell or distribute any shipment of nursery stock to a nursery grower or
22 nursery dealer, and no nursery grower or nursery dealer may accept a shipment of
23 nursery stock, unless that shipment is labeled with all of the following:

24 1. The name and address of the person selling or distributing the shipment to
25 the nursery grower or nursery dealer.

1 2. A certification, by the person under subd. 1., that all of the nursery stock
2 included in the shipment is from officially inspected sources.

3 (b) *Growers and dealers to report unlabeled shipments.* Whenever any person
4 tenders to a nursery grower or nursery dealer any shipment of nursery stock that is
5 not fully labeled according to par. (a), the nursery grower or nursery dealer shall
6 promptly report that unlabeled shipment to the department.

7 (c) *Nursery stock sold at retail.* A person selling nursery stock at retail shall
8 ensure that the nursery stock is labeled with the common or botanical name of the
9 nursery stock.

10 **(6) CARE OF NURSERY STOCK.** (a) *Adequate facilities.* A nursery grower or
11 nursery dealer shall maintain facilities that are reasonably adequate for the care and
12 keeping of nursery stock held for sale, so that the nursery grower or nursery dealer
13 can keep the nursery stock in healthy condition pending sale.

14 (b) *Reasonable examinations.* Nursery growers and nursery dealers shall make
15 reasonable examinations of nursery stock held for sale to determine whether that
16 nursery stock is capable of reasonable growth, is infested with injurious pests or is
17 infected with disease.

18 **(7) PROHIBITIONS.** (a) *Nursery dealers.* No nursery dealer may do any of the
19 following:

20 1. Obtain, hold, sell, offer to sell or distribute nursery stock from any source
21 other than an officially inspected source.

22 2. Misrepresent that the nursery dealer is a nursery grower.

23 (b) *Nursery growers and dealers.* No nursery grower or nursery dealer may do
24 any of the following:

1 1. Sell, offer to sell or distribute any nursery stock that the nursery grower or
2 nursery dealer knows, or has reason to know, is infested with plant pests or infected
3 with plant diseases that may be spread by the sale or distribution of that nursery
4 stock.

5 2. Sell, offer to sell or distribute any nursery stock that the nursery grower or
6 nursery dealer knows, or has reason to know, will not survive or grow.

7 3. Misrepresent the name, origin, grade, variety, quality or hardiness of any
8 nursery stock offered for sale or make any other false or misleading representation
9 in the advertising or sale of nursery stock.

10 4. Conceal nursery stock to avoid inspection by the department, falsify any
11 record required under this section or make any false or misleading statement to the
12 department.

13 **(8)** DEPARTMENT INSPECTION. The department may inspect nurseries and
14 premises at which nursery stock is held for sale or distribution. The department may
15 inspect premises at which evergreen trees are grown for eventual sale as Christmas
16 trees and premises at which Christmas trees are held for sale or distribution.

17 **(9)** DEPARTMENT ORDERS. (a) *Holding orders and remedial orders.* An
18 authorized employe or agent of the department may, by written notice, order a
19 nursery grower or nursery dealer to do any of the following:

20 1. Temporarily hold nursery stock pending inspection by the department.

21 2. Remedy violations of this section.

22 3. Refrain from importing weeds or pests that threaten agricultural production
23 or the environment in this state.

1 4. Permanently withhold nursery stock from sale or distribution, if the sale or
2 distribution would violate this section or an order issued under this section and the
3 violation cannot be adequately remedied in another manner.

4 5. Destroy or return, without compensation from the department, nursery
5 stock that is sold or distributed in violation of this section, or an order issued under
6 this section, if the violation cannot be adequately remedied in another manner.

7 (b) *Hearing*. If the recipient of an order under par. (a) requests a hearing on
8 that order, the department shall hold an informal hearing within 10 days unless the
9 recipient of the order consents to a later date for an informal hearing. The request
10 for a hearing is not a request under s. 227.42 (1). If a contested matter is not resolved
11 at the informal hearing, the recipient of the order is entitled to a class 2 contested
12 case hearing under ch. 227. The department is not required to stay an order under
13 par. (a) pending the outcome of any hearing under this paragraph.

14 **(10) RECIPROCAL AGREEMENTS WITH OTHER STATES.** (a) *General*. The department
15 may enter into reciprocal agreements with other states to facilitate interstate
16 shipments of nursery stock.

17 (b) *Officially inspected sources*. As part of an agreement under par. (a), the
18 department may recognize sources of nursery stock in another state as officially
19 inspected sources.

20 (c) *Inspection and certification standards*. An agreement under par. (a) may
21 specify standards and procedures for all of the following:

- 22 1. Inspecting officially inspected sources of nursery stock.
- 23 2. Inspecting and certifying interstate shipments of nursery stock.

24 **SECTION 1935.** 94.50 (2) of the statutes is amended to read:

1 **94.50 (2)** GROWERS AND DEALERS; REGISTRATION. No person may act as a grower
2 or a dealer unless he or she is registered with the department. Any person who acts
3 as a dealer and a grower shall register as both. Registrations shall be made annually
4 on a form provided by the department. Registrations expire on December 31 of each
5 year. A dealer shall pay to the department an annual registration fee of \$25. The
6 department shall assign a registration number to each person registered under this
7 subsection. All moneys collected under this subsection shall be credited to the
8 appropriation account under s. 20.115 (7) (ga).

9 **SECTION 1936.** 94.50 (3) (b) of the statutes is amended to read:

10 **94.50 (3) (b)** The department shall upon request provide each registered grower
11 and dealer with shipment certificates and report forms required under par. (a). The
12 department shall stamp each shipment certificate and report form with the
13 registration number of the grower or dealer. A shipment certificate and report form
14 is valid only if used during the registration period for which the stamp registration
15 number of the grower or dealer was issued. The department may charge a reasonable
16 fee to recover the costs related to providing shipment certificates and report forms.
17 All moneys collected under this paragraph shall be credited to the appropriation
18 account under s. 20.115 (7) (ga).

19 **SECTION 1937.** 94.64 (4) (a) 1. of the statutes is amended to read:

20 **94.64 (4) (a) 1.** A basic fee of ~~25~~ 23 cents per ton for fertilizer sold or distributed
21 ~~from July 1, 1997, to June 30, 1999~~ beginning on the effective date of this
22 subdivision [revisor inserts date], and ending on June 30, 2001, and ~~32~~ 30 cents
23 per ton for fertilizer sold or distributed after June 30, 1999 2001, with a minimum
24 fee of \$25.

25 **SECTION 1938.** 94.64 (4) (a) 6. of the statutes is created to read:

1 94.64 (4) (a) 6. Beginning on the effective date of this subdivision [revisor
2 inserts date], a weights and measures inspection fee of 2 cents per ton, with a
3 minimum fee of \$1.

4 **SECTION 1939.** 94.64 (4) (c) 6. of the statutes is created to read:

5 94.64 (4) (c) 6. The department shall credit the fee under par. (a) 6. to the
6 appropriation account under s. 20.115 (1) (j).

7 **SECTION 1940.** 94.681 (2) (a) 1. to 3. of the statutes are amended to read:

8 94.681 (2) (a) 1. If the applicant sold less than \$25,000 of the product during
9 the preceding year for use in this state, \$265, except that the fee is \$215 for the license
10 years that begin on January 1, 1999, ~~and on January 1, 2000, January 1, 2001, and~~
11 January 1, 2002.

12 2. If the applicant sold at least \$25,000 but less than \$75,000 of the product
13 during the preceding year for use in this state, \$750, except that the fee is \$650 for
14 the license years that begin on January 1, 1999, ~~and on January 1, 2000,~~
15 January 1, 2001, and January 1, 2002.

16 3. If the applicant sold at least \$75,000 of the product during the preceding year
17 for use in this state, \$1,500, except that the fee is \$1,200 for the license years that
18 begin on January 1, 1999, ~~and on January 1, 2000, January 1, 2001, and~~
19 January 1, 2002.

20 **SECTION 1941.** 94.681 (2) (b) 1. to 3. of the statutes are amended to read:

21 94.681 (2) (b) 1. If the applicant sold less than \$25,000 of the product during
22 the preceding year for use in this state, \$315, except that the fee is \$265 for the license
23 years that begin on January 1, 1999, ~~and on January 1, 2000, January 1, 2001, and~~
24 January 1, 2002.

1 2. If the applicant sold at least \$25,000 but less than \$75,000 of the product
2 during the preceding year for use in this state, \$860, except that the fee is \$760 for
3 the license years that begin on January 1, 1999, ~~and on~~ January 1, 2000,
4 January 1, 2001, and January 1, 2002.

5 3. If the applicant sold at least \$75,000 of that product during the preceding
6 year for use in this state, \$3,060, except that the fee is \$2,760 for the license years
7 that begin on January 1, 1999, ~~and on~~ January 1, 2000, January 1, 2001, and
8 January 1, 2002.

9 **SECTION 1942.** 94.681 (2) (c) 1. to 3. of the statutes are amended to read:

10 94.681 **(2)** (c) 1. If the applicant sold less than \$25,000 of that product during
11 the preceding year for use in this state, \$320, except that the fee is \$270 for the license
12 years that begin on January 1, 1999, ~~and on~~ January 1, 2000, January 1, 2001, and
13 January 1, 2002.

14 2. If the applicant sold at least \$25,000 but less than \$75,000 of the product
15 during the preceding year for use in this state, \$890, except that the fee is \$790 for
16 the license years that begin on January 1, 1999, ~~and on~~ January 1, 2000,
17 January 1, 2001, and January 1, 2002.

18 3. If the applicant sold at least \$75,000 of the product during the preceding year
19 for use in this state, \$3,060 plus 0.2% of the gross revenues from sales of the product
20 during the preceding year for use in this state, except that for the license years that
21 begin on January 1, 1999, ~~and on~~ January 1, 2000, January 1, 2001, and
22 January 1, 2002, the fee shall be \$2,760 plus 0.2% of the gross revenues from sales
23 of the product during the preceding year for use in this state.

24 **SECTION 1942mc.** 94.695 of the statutes is created to read:

1 **94.695 Pesticide sales and use reporting system. (1) PROPOSAL.** The
2 department shall develop a proposal for a pesticide sales and use reporting system
3 and shall, no later than July 1, 2000, submit the proposal to the joint committee on
4 finance for review.

5 **(2) FUNDING.** If the joint committee on finance approves the proposal under sub.
6 (1), it may, from the appropriation under s. 20.865 (4) (u), supplement the
7 appropriation under s. 20.115 (7) (uc) in an amount not to exceed \$250,000 and the
8 appropriation under s. 20.115 (7) (ue) in an amount not to exceed \$150,000.
9 Notwithstanding s. 13.101 (3) (a), the committee is not required to find that an
10 emergency exists.

11 **(3) PILOT PROJECT.** If the joint committee on finance approves the proposal
12 under sub. (1), the department shall administer a pilot program to test the pesticide
13 sales and use reporting system.

14 **SECTION 1943.** 94.704 (3) (a) 1. of the statutes is amended to read:

15 94.704 **(3)** (a) 1. A license fee of \$40, except that the license fee is \$30 for the
16 license years that begin on January 1, 1999, ~~and on January 1, 2000,~~
17 January 1, 2001, and January 1, 2002.

18 **SECTION 1944.** 94.72 (6) (a) 1. and 2. of the statutes are amended to read:

19 94.72 **(6)** (a) 1. For commercial feeds distributed in this state ~~during the years~~
20 ~~that begin on January 1, 1998, and on January 1, 1999,~~ beginning on the
21 effective date of this subdivision [revisor inserts date], and ending on
22 December 31, 2001, a feed inspection fee of 13 cents per ton.

23 2. For commercial feeds distributed in this state on or after January 1, 2000,
24 25 2002, a feed inspection fee of 23 cents per ton.

25 **SECTION 1945.** 94.72 (6) (a) 3. of the statutes is created to read:

1 94.72 **(6)** (a) 3. Beginning on the effective date of this subdivision [revisor
2 inserts date], for commercial feeds distributed in this state a weights and measures
3 inspection fee of 2 cents per ton.

4 **SECTION 1945e.** 94.73 (2) (c) of the statutes is amended to read:

5 94.73 **(2)** (c) The department may issue an order under par. (a) on a summary
6 basis without prior notice or a prior hearing if the department determines that a
7 summary order is necessary to prevent imminent harm to public health or safety or
8 to the environment. If the recipient of a summary order requests a hearing on that
9 order, the department shall hold a hearing within 10 days after it receives the
10 request unless the recipient agrees to a later hearing date. The department is not
11 required to stay enforcement of a summary order issued under this paragraph
12 pending the outcome of the hearing. If the responsible person prevails after a
13 hearing, the department shall reimburse the responsible person from the
14 appropriation account under s. 20.115 (7) ~~(e)~~ ~~or~~ (wm) for the corrective action costs
15 incurred as the result of the department's order.

16 **SECTION 1945g.** 94.73 (7) (a) of the statutes is amended to read:

17 94.73 **(7)** (a) The department may make payments to a responsible person who
18 is eligible for reimbursement under sub. (3) if the department has authorized
19 reimbursement to that person under sub. (6). The department shall make payment
20 from the appropriation ~~accounts~~ account under s. 20.115 (7) ~~(e)~~ ~~and~~ (wm), subject to
21 the availability of funds in those that appropriation ~~accounts~~ account. If there are
22 insufficient funds to pay the full amounts authorized under sub. (6) to all eligible
23 responsible persons, the department shall distribute payments in the order in which
24 applications were received, unless the department specifies, by rule, a different order
25 of payment.

1 **SECTION 1945s.** 95.197 of the statutes is created to read:

2 **95.197 Financial assistance for paratuberculosis testing. (1)** The
3 department shall provide financial assistance to owners of livestock herds for
4 conducting testing for paratuberculosis. The department may only provide financial
5 assistance under this section for the first time that the owner of a livestock herd tests
6 the herd.

7 **(2)** The department shall promulgate rules for providing financial assistance
8 under sub. (1).

9 **SECTION 1946.** 95.21 (9) (c) of the statutes is created to read:

10 **95.21 (9) (c)** The department may provide training to persons who administer
11 local rabies control programs or who conduct rabies examinations under those
12 programs. The department may charge fees to cover the cost of training. The fees
13 collected under this paragraph shall be credited to the appropriation under s. 20.115
14 (2) (j).

15 **SECTION 1946m.** 97.30 (1) (bm) of the statutes is repealed and recreated to
16 read:

17 **97.30 (1) (bm)** Except as provided by the department by rule, “potentially
18 hazardous food” means a food that requires temperature control because it is in a
19 form capable of supporting any of the following:

- 20 1. Rapid and progressive growth of infectious or toxigenic microorganisms.
- 21 2. Growth and toxin production of *Clostridium botulinum*.
- 22 3. In raw shell eggs, growth of *Salmonella enteritidis*.

23 **SECTION 1946n.** 97.42 (4) (intro.) of the statutes is amended to read:

24 **97.42 (4) RULES.** (intro.) The department shall may issue reasonable rules
25 requiring or prescribing any of the following:

1 **SECTION 1946p.** 97.42 (4m) of the statutes is created to read:

2 **97.42 (4m) FEDERAL REQUIREMENTS.** Except as provided in rules promulgated
3 under sub. (4), the operator of an establishment that is required to be licensed under
4 this section shall comply with 9 CFR parts 307 to 311, 313 to 315, 317 to 319, 416 and
5 417 and part 381 subparts G, H, I, J, K, L, O and P as they apply to federally licensed
6 establishments.

7 **SECTION 1950m.** 98.01 (3) of the statutes is amended to read:

8 **98.01 (3)** “Municipality” means a city ~~or~~, village or town.

9 **SECTION 1951.** 98.04 (1) of the statutes is amended to read:

10 **98.04 (1)** ~~Each~~ Except as provided in sub. (2), a municipality having a
11 population of more than 5,000, according to the ~~latest federal census~~ most recent
12 population estimate made by the department of administration under s. 16.96, shall
13 enforce the provisions of this chapter within its jurisdiction. For this purpose ~~it, a~~
14 municipality shall establish a municipal department of weights and measures. Each
15 municipal department of weights and measures shall have such number of qualified
16 sealers or inspectors as will ensure compliance with this chapter. Municipal sealers
17 or inspectors shall have the same authority as sealers or inspectors of the
18 department of agriculture, trade and consumer protection. The selection of
19 municipal sealers or inspectors shall be from a list of applicants whose qualifications
20 have been certified by the state or local civil service agency under the rules of the
21 agency. ~~Such~~ The municipality shall procure and keep at all times a complete set of
22 standards of weight and measure conforming to the state standards, ~~and such~~
23 ~~standards shall be submitted~~ and shall submit the standards for certification at
24 regular intervals as required by the department. ~~It~~ of agriculture, trade and
25 consumer protection. The municipality shall keep a complete record of its work and

1 annually shall file a report thereof with the department of agriculture, trade and
2 consumer protection. ~~Municipalities~~ The municipality may enact ordinances
3 ~~regulating~~ that regulate weights and measures and that are not in conflict with this
4 chapter or the rules of the department ~~and~~ of agriculture, trade and consumer
5 protection. The municipality may assess fees ~~which~~ that do not exceed the actual cost
6 of ~~the municipal~~ its weights and measures program.

7 **SECTION 1952.** 98.04 (2) of the statutes is repealed and recreated to read:

8 98.04 (2) A municipality that is required to establish a department of weights
9 and measures under sub. (1) may contract with the department of agriculture, trade,
10 and consumer protection to enforce the provisions of this chapter within the
11 municipality's jurisdiction instead of establishing its own department if the
12 department of agriculture, trade and consumer protection agrees to enter into such
13 a contract. The department of agriculture, trade and consumer protection may
14 charge the municipality fees sufficient to cover the department's costs under the
15 contract. A municipality may recover an amount not to exceed the cost of these fees
16 by assessing fees on the persons who receive services under the weights and
17 measures program.

18 **SECTION 1952m.** 98.12 of the statutes is amended to read:

19 **98.12 ~~Standard containers; frozen desserts~~ Sale of ice cream and**
20 **similar frozen products**. Ice cream, ice milk, water ices or other frozen desserts
21 of a similar nature packaged prior to sale ~~may~~ shall be sold by liquid measure ~~only~~
22 ~~and shall be packaged only in containers with capacities of one-half liquid pint, one~~
23 ~~liquid pint, one liquid quart, or a multiple of one liquid quart~~. This section does not
24 apply if ~~such~~ the products are packaged at time of sale at retail or sold in quantities
25 of less than one-half liquid pint.

1 **SECTION 1953.** 98.16 (2) (b) of the statutes, as affected by 1997 Wisconsin Act
2 27, section 2552f, is amended to read:

3 98.16 **(2)** (b) The fee for a license under par. (a) is ~~\$30~~ \$60, except that the
4 department may establish a different fee by rule.

5 **SECTION 1953e.** 98.21 of the statutes is repealed and recreated to read:

6 **98.21 Sale of bread. (1)** Except as provided in sub. (2), no person may
7 manufacture for sale in this state, offer to sell or sell bread unless the bread is sold
8 by weight.

9 **(2)** Subsection (1) does not apply to stale bread if the bread is conspicuously
10 marked “stale bread” or is placed in a container conspicuously marked “stale bread”
11 and sold as and for stale bread.

12 **SECTION 1960.** 100.261 of the statutes is created to read:

13 **100.261 Consumer information assessment. (1)** If a court imposes a fine
14 or forfeiture for a violation of this chapter, ch. 98, a rule promulgated under this
15 chapter or ch. 98 or an ordinance enacted under this chapter or ch. 98, the court shall
16 also impose a consumer information assessment in an amount equal to 15% of the
17 fine or forfeiture imposed. If multiple violations are involved, the court shall base
18 the consumer information assessment upon the the total of the fine or forfeiture
19 amounts for all violations. If a fine or forfeiture is suspended in whole or in part, the
20 court shall reduce the assessment in proportion to the suspension.

21 **(2)** If any deposit is made for a violation to which this section applies, the person
22 making the deposit shall also deposit a sufficient amount to include the consumer
23 information assessment required under this section. If the deposit is forfeited, the
24 amount of the consumer information assessment shall be transmitted to the state

1 treasurer under sub. (3). If the deposit is returned, the consumer information
2 assessment shall also be returned.

3 **(3)** (a) The clerk of court shall collect and transmit the consumer information
4 assessment amounts to the county treasurer under s. 59.40 (2) (m). The county
5 treasurer shall then make payment to the state treasurer under s. 59.25 (3) (f) 2.

6 (b) 1. The state treasurer shall deposit the assessment amounts in the general
7 fund and shall credit them to the appropriation account under s. 20.115 (1) (jb),
8 subject to the limit under subd. 2.

9 2. The amount credited to the appropriation account under s. 20.115 (1) (jb) may
10 not exceed \$85,000 in each fiscal year.

11 **SECTION 1972.** 101.01 (4) of the statutes is amended to read:

12 101.01 **(4)** “Employer” means any person, firm, corporation, state, county,
13 town, city, village, school district, sewer district, drainage district, family care
14 district and other public or quasi–public corporations as well as any agent, manager,
15 representative or other person having control or custody of any employment, place
16 of employment or of any employe.

17 **SECTION 1972c.** 101.02 (18m) of the statutes is amended to read:

18 101.02 **(18m)** The department may perform, or contract for the performance
19 of, testing of petroleum products other than testing provided under ch. 168. The
20 department may establish a schedule of fees for such petroleum product testing
21 services. The department shall credit all revenues received from fees established
22 under this subsection to the appropriation account under s. 20.143 (3) (ga). Revenues
23 from fees established under this subsection may be used by the department to pay
24 for testing costs, including laboratory supplies and equipment amortization, for such
25 products.

1 **SECTION 1972g.** 101.02 (20) (a) of the statutes is amended to read:

2 101.02 **(20)** (a) For purposes of this subsection, “license” means a license,
3 permit or certificate of certification or registration issued by the department under
4 ss. 101.09 (3) (c), 101.122 (2) (c), 101.143 (2) (g), 101.15 (2) (e), 101.17, 101.177 (4) (a),
5 101.178 (2) or (3) (a), 101.63 (2) or (2m), 101.653, 101.73 (5) or (6), 101.82 (2), 101.87,
6 101.935, 101.95, 101.951, 101.952, 145.02 (4), 145.035, 145.045, 145.15, 145.16,
7 145.165, 145.17, 145.175, 145.18 or 167.10 (6m).

8 **SECTION 1972h.** 101.02 (20) (b) of the statutes is amended to read:

9 101.02 **(20)** (b) The Except as provided in par. (e), the department of commerce
10 may not issue or renew a license unless each applicant who is an individual provides
11 the department of commerce with his or her social security number and each
12 applicant that is not an individual provides the department of commerce with its
13 federal employer identification number. The department of commerce may not
14 disclose the social security number or the federal employer identification number of
15 an applicant for a license or license renewal except to the department of revenue for
16 the sole purpose of requesting certifications under s. 73.0301.

17 **SECTION 1972k.** 101.02 (20) (e) of the statutes is created to read:

18 101.02 **(20)** (e) 1. If an applicant who is an individual does not have a social
19 security number, the applicant, as a condition of applying for or applying to renew
20 a license shall submit a statement made or subscribed under oath or affirmation to
21 the department of commerce that the applicant does not have a social security
22 number. The form of the statement shall be prescribed by the department of
23 workforce development.

24 2. Any license issued or renewed in reliance upon a false statement submitted
25 by an applicant under subd. 1 is invalid.

1 **SECTION 1972m.** 101.02 (21) (a) of the statutes is amended to read:

2 101.02 **(21)** (a) In this subsection, “license” means a license, permit or
3 certificate of certification or registration issued by the department under s. 101.09
4 (3) (c), 101.122 (2) (c), 101.143 (2) (g), 101.15 (2) (e), 101.17, 101.177 (4) (a), 101.178
5 (2) or (3) (a), 101.63 (2), 101.653, 101.73 (5) or (6), 101.82 (2), 101.87, 101.935, 101.95,
6 101.951, 101.952, 145.02 (4), 145.035, 145.045, 145.15, 145.16, 145.165, 145.17,
7 145.175, 145.18 or 167.10 (6m).

8 **SECTION 1972n.** 101.02 (21) (b) of the statutes is amended to read:

9 101.02 **(21)** (b) As provided in the memorandum of understanding under s.
10 49.857 and except as provided in par. (e), the department of commerce may not issue
11 or renew a license unless the applicant provides the department of commerce with
12 his or her social security number. The department of commerce may not disclose the
13 social security number except that the department of commerce may disclose the
14 social security number of an applicant for a license under par. (a) or a renewal of a
15 license under par. (a) to the department of workforce development for the sole
16 purpose of administering s. 49.22.

17 **SECTION 1972r.** 101.02 (21) (e) of the statutes is created to read:

18 101.02 **(21)** (e) 1. If an applicant who is an individual does not have a social
19 security number, the applicant, as a condition of applying for or applying to renew
20 a license shall submit a statement made or subscribed under oath or affirmation to
21 the department of commerce that the applicant does not have a social security
22 number. The form of the statement shall be prescribed by the department of
23 workforce development.

24 2. Any license issued or renewed in reliance upon a false statement submitted
25 by an applicant under subd. 1 is invalid.

1 **SECTION 1973.** 101.09 (title) of the statutes is amended to read:

2 **101.09 (title) Storage of flammable and, combustible and hazardous**
3 **liquids.**

4 **SECTION 1974.** 101.09 (1) (am) of the statutes is created to read:

5 101.09 (1) (am) “Federally regulated hazardous substance” means a hazardous
6 substance, as defined in 42 USC 9601 (14).

7 **SECTION 1975.** 101.09 (2) (a) of the statutes is amended to read:

8 101.09 (2) (a) Except as provided under pars. (b) to (d), every person who
9 constructs, owns or controls a tank for the storage, handling or use of flammable or
10 combustible liquid that is flammable or combustible or a federally regulated
11 hazardous substance shall comply with the standards adopted under sub. (3).

12 **SECTION 1975m.** 101.09 (2) (cm) of the statutes is created to read:

13 101.09 (2) (cm) Any rules promulgated under sub. (3) requiring an owner to test
14 the ability of a storage tank, connected piping or ancillary equipment to prevent an
15 inadvertent release of a stored substance or requiring an owner to permanently close
16 or upgrade a storage tank do not apply to storage tanks that satisfy all of the
17 following:

18 1. Are installed before the effective date of this subdivision [revisor inserts
19 date].

20 2. Have a capacity of less than 1,100 gallons.

21 3. Are used to store heating oil for residential, consumptive use on the premises
22 where stored.

23 **SECTION 1976.** 101.09 (3) (a) of the statutes is amended to read:

24 101.09 (3) (a) The department shall promulgate by rule construction,
25 maintenance and abandonment standards applicable to tanks for the storage,

1 handling or use of ~~flammable and combustible liquids~~ that are flammable or
2 combustible or are federally regulated hazardous substances, and to the property
3 and facilities where the tanks are located, for the purpose of protecting the waters
4 of the state from harm due to contamination by ~~flammable and combustible liquids~~
5 that are flammable or combustible or are federally regulated hazardous substances.

6 The rule shall comply with ch. 160. The rule may include different standards for new
7 and existing tanks, but all standards shall provide substantially similar protection
8 for the waters of the state. The rule shall include maintenance requirements related
9 to the detection and prevention of leaks. The rule may require any person supplying
10 heating oil to any noncommercial storage tank for consumptive use on the premises
11 to submit to the department, within 30 days after the department requests, the
12 location, contents and size of any such tank.

13 **SECTION 1976r.** 101.123 (1) (b) of the statutes is amended to read:

14 101.123 (1) (b) “Inpatient health care facility” means a county home
15 established under s. 49.70, a county infirmary established under s. 49.72, or a
16 community-based residential facility or a nursing home licensed under s. 50.03 ~~or~~
17 a tuberculosis sanatorium established under s. ~~58.06, 252.073 or 252.076~~.

18 **SECTION 1979.** 101.14 (5) of the statutes is amended to read:

19 101.14 (5) (a) Subject to par. (b), in addition to any fee charged by the
20 department by rule for plan review and approval for the construction of a new or
21 additional installation or change in operation of a previously approved installation
22 for the storage, handling or use of ~~flammable or combustible liquids~~ a liquid that is
23 flammable or combustible or a federally regulated hazardous substance, as defined
24 in s. 101.09 (1) (am), the department shall collect a groundwater fee of \$100 for each

1 plan review submittal. The moneys collected under this subsection shall be credited
2 to the environmental fund for environmental management.

3 (b) Notwithstanding par. (a), an installation for the storage, handling or use of
4 ~~flammable or combustible liquids~~ a liquid that is flammable or combustible or a
5 federally regulated hazardous substance, as defined in s. 101.09 (1) (am), that has
6 a capacity of less than 1,000 gallons is not subject to the groundwater fee under par.
7 (a).

8 **SECTION 1979p.** 101.143 (1) (bm) of the statutes is created to read:

9 101.143 (1) (bm) “Enforcement standard” has the meaning given in s. 160.01
10 (2).

11 **SECTION 1979r.** 101.143 (1) (cq) of the statutes is created to read:

12 101.143 (1) (cq) “Natural attenuation” means the reduction in the
13 concentration and mass of a substance, and the products into which the substance
14 breaks down, due to naturally occurring physical, chemical and biological processes.

15 **SECTION 1979v.** 101.143 (2) (em) of the statutes is created to read:

16 101.143 (2) (em) 1. The department may promulgate rules that specify a fee
17 that must be paid by a service provider as a condition of submitting a bid to conduct
18 an activity under sub. (3) (c) for which a claim for reimbursement under this section
19 will be submitted. Any fees collected under the rules shall be deposited into the
20 petroleum inspection fund.

21 2. If the department promulgates rules under subd. 1., the department may
22 purchase, or provide funding for the purchase of, insurance to cover the amount by
23 which the costs of conducting activities under sub. (3) (c) exceed the amount bid to
24 conduct those activities.

25 **SECTION 1980c.** 101.143 (2) (h) of the statutes is created to read:

1 101.143 (2) (h) The department of commerce and the department of natural
2 resources, jointly, shall promulgate rules designed to facilitate effective and
3 cost-efficient administration of the program under this section that specify all of the
4 following:

5 1. Information that must be submitted under this section, including quarterly
6 summaries of costs incurred with respect to a discharge for which a claim is intended
7 to be submitted under sub. (3) but for which a final claim has not been submitted.

8 2. Formats for submitting the information under subd. 1.

9 3. Review procedures that must be followed by employes of the department of
10 natural resources and the department of commerce in reviewing the information
11 submitted under subd. 1.

12 **SECTION 1981c.** 101.143 (2) (i) of the statutes is created to read:

13 101.143 (2) (i) The department of commerce and the department of natural
14 resources, jointly, shall promulgate rules specifying procedures for evaluating
15 remedial action plans and procedures to be used by employes of the department of
16 commerce and the department of natural resources while remedial actions are being
17 conducted. The departments shall specify procedures that include all of the
18 following:

19 1. Annual reviews that include application of the method in the rules
20 promulgated under sub. (2e) (b) to determine the risk posed by discharges that are
21 the subject of the remedial actions.

22 2. Annual reports by consultants estimating the additional costs that must be
23 incurred to comply with sub. (3) (c) 3. and with enforcement standards.

24 3. A definition of “reasonable time” for the purpose of determining whether
25 natural attenuation may be used to achieve enforcement standards.

1 4. Procedures to be used to measure concentrations of contaminants.

2 **SECTION 1981e.** 101.143 (2) (j) of the statutes is created to read:

3 101.143 (2) (j) The department of commerce and the department of natural
4 resources, jointly, shall promulgate rules specifying all of the following:

5 1. The conditions under which employes of the department of commerce and
6 the department of natural resources must issue approvals under sub. (3) (c) 4.

7 2. Training and management procedures to ensure that employes comply with
8 the requirements under subd. 1.

9 **SECTION 1981g.** 101.143 (2) (k) of the statutes is created to read:

10 101.143 (2) (k) In promulgating rules under pars. (h) to (j), the department of
11 commerce and the department of natural resources shall attempt to reach an
12 agreement that is consistent with those provisions. If the department of commerce
13 and the department of natural resources are unable to reach an agreement, they
14 shall refer the matters on which they are unable to agree to the secretary of
15 administration for resolution. The secretary of administration shall resolve any
16 matters on which the departments disagree in a manner that is consistent with pars.
17 (h) to (j). The department of commerce and the department of natural resources,
18 jointly, shall promulgate rules incorporating any agreement between the
19 department of commerce and the department of natural resources under this
20 paragraph and any resolution of disagreements between the departments by the
21 secretary of administration under this paragraph.

22 **SECTION 1981i.** 101.143 (2) (L) of the statutes is created to read:

23 101.143 (2) (L) The department may promulgate rules for the assessment
24 and collection of fees to recover its costs for providing approval under sub. (3) (c)
25 4. and for providing other assistance requested by applicants under this section.

1 Any moneys collected under this paragraph shall be credited to the appropriation
2 account under s. 20.143 (3) (Lm).

3 **SECTION 1982c.** 101.143 (2e) of the statutes is created to read:

4 101.143 **(2e)** RISK-BASED ANALYSIS. (a) The department of commerce and the
5 department of natural resources shall attempt to agree on a method, which shall
6 include individualized consideration of the routes for migration of petroleum product
7 contamination at each site, for determining the risk to public health, safety and
8 welfare and to the environment posed by discharges for which the department of
9 commerce receives notification under sub. (3) (a) 3.

10 (b) If the department of commerce and the department of natural resources are
11 unable to reach an agreement under par. (a), they shall refer the matters on which
12 they are unable to agree to the secretary of administration for resolution. The
13 secretary of administration shall resolve any matters on which the departments
14 disagree in a manner that is consistent with par. (a). The department of commerce
15 and the department of natural resources, jointly, shall promulgate rules
16 incorporating any agreement between the department of commerce and the
17 department of natural resources under par. (a) and any resolution of disagreements
18 between the departments by the secretary of administration under this paragraph.

19 (c) The department of natural resources or, if the discharge is covered under
20 s. 101.144 (2) (b), the department of commerce shall apply the method in the rules
21 promulgated under par. (b) to determine the risk posed by a discharge for which the
22 department of commerce receives notification under sub. (3) (a) 3.

23 **SECTION 1983b.** 101.143 (3) (c) 2. of the statutes is amended to read:

1 101.143 (3) (c) 2. Prepare a remedial action plan that identifies specific
2 remedial action activities proposed to be conducted under subd. 3. and submit the
3 remedial action plan to the department.

4 **SECTION 1983m.** 101.143 (3) (cm) of the statutes is amended to read:

5 101.143 (3) (cm) *Monitoring as remedial action.* An owner or operator or person
6 owning a home oil tank system may, with the approval of the department of natural
7 resources or, if the discharge is covered under s. 101.144 (2) (b), the department of
8 commerce, satisfy the requirements of par. (c) 2. and 3. by proposing and
9 implementing monitoring to ensure the effectiveness of the natural process of
10 degradation attenuation of petroleum product contamination.

11 **SECTION 1983t.** 101.143 (3) (cp) of the statutes is created to read:

12 101.143 (3) (cp) *Bidding process.* 1. Except as provided in subds. 2. to 5., if the
13 department of natural resources or, if the site is covered under s. 101.144 (2) (b), the
14 department of commerce estimates that the cost to complete a site investigation,
15 remedial action plan and remedial action for an occurrence exceeds \$60,000, the
16 department of commerce shall implement a competitive public bidding process to
17 obtain information to assist in making the determination under par. (cs).

18 2. The department of commerce or the department of natural resources may
19 waive the requirement under subd. 1. if an enforcement standard is exceeded in
20 groundwater within 1,000 feet of a well operated by a public utility, as defined in s.
21 196.01 (5), or within 100 feet of any other well used to provide water for human
22 consumption.

23 4. The department of commerce or the department of natural resources may
24 waive the requirement under subd. 1. on the grounds that waiver is necessary in an

1 emergency to prevent or mitigate an imminent hazard to public health, safety or
2 welfare or to the environment.

3 5. The department of commerce or the department of natural resources may
4 waive the requirement under subd. 1. after providing notice to the other department.

5 6. The department of commerce may disqualify a bid received under subd. 1.
6 if, based on information available to the department and experience with remedial
7 action at other sites, the bid is unlikely to establish an amount to sufficiently fund
8 remedial action that will comply with par. (c) 3. and with enforcement standards.

9 7. The department of commerce may disqualify a person from submitting bids
10 under subd. 1. if, based on past performance of the bidder, the department
11 determines that the person has demonstrated an inability to complete remedial
12 action within established cost limits.

13 **SECTION 1984c.** 101.143 (3) (cs) of the statutes is created to read:

14 101.143 (3) (cs) *Determination of least costly method of remedial action.* 1. The
15 department of commerce shall review the remedial action plan for a site that is
16 classified as low or medium risk under s. 101.144 and shall determine the least costly
17 method of complying with par. (c) 3. and with enforcement standards. The
18 department shall notify the owner or operator of its determination of the least costly
19 method and shall notify the owner or operator that reimbursement for remedial
20 action under this section is limited to the amount necessary to implement that
21 method.

22 2. The department of natural resources and the department of commerce shall
23 review the remedial action plan for a site that is classified as high risk under s.
24 101.144 and shall jointly determine the least costly method of complying with par.
25 (c) 3. and with enforcement standards. The departments shall notify the owner or

1 operator of their determination of the least costly method and shall notify the owner
2 or operator that reimbursement for remedial action under this section is limited to
3 the amount necessary to implement that method.

4 3. In making determinations under subds. 1. and 2., the department of natural
5 resources and the department of commerce shall determine whether natural
6 attenuation will achieve compliance with par. (c) 3. and with enforcement standards.

7 4. The department of commerce may review and modify an amount established
8 under subd. 1. if the department determines that new circumstances, including
9 newly discovered contamination at a site, warrant those actions. The department
10 of commerce and the department of natural resources may review and modify an
11 amount established under subd. 2. if the departments determine that new
12 circumstances, including newly discovered contamination at a site, warrant those
13 actions.

14 **SECTION 1984m.** 101.143 (3) (cw) of the statutes is created to read:

15 101.143 (3) (cw) *Annual reviews.* 1. The department of commerce shall conduct
16 the annual review required under sub. (2) (i) 1. for a site that is classified as low or
17 medium risk under s. 101.144 and shall determine the least costly method of
18 completing remedial action at the site in order to comply with par. (c) 3. and with
19 enforcement standards. The department shall notify the owner or operator of its
20 determination of the least costly method and shall notify the owner or operator that
21 reimbursement under this section for any remedial action conducted after the date
22 of the notice is limited to the amount necessary to implement that method.

23 2. The department of natural resources and the department of commerce shall
24 conduct the annual review required under sub. (2) (i) 1. for a site that is classified as
25 high risk under s. 101.144 and shall jointly determine the least costly method of

1 completing remedial action at the site in order to comply with par. (c) 3. and with
2 enforcement standards. The departments shall notify the owner or operator of their
3 determination of the least costly method and shall notify the owner or operator that
4 reimbursement under this section for remedial action conducted after the date of the
5 notice is limited to the amount necessary to implement that method.

6 3. In making determinations under subds. 1. and 2., the department of natural
7 resources and the department of commerce shall determine whether natural
8 attenuation will achieve compliance with par. (c) 3. and with enforcement standards.

9 4. The department of commerce may review and modify an amount established
10 under subd. 1. if the department determines that new circumstances, including
11 newly discovered contamination at a site, warrant those actions. The department
12 of commerce and the department of natural resources may review and modify an
13 amount established under subd. 2. if the departments determine that new
14 circumstances, including newly discovered contamination at a site, warrant those
15 actions.

16 **SECTION 1985b.** 101.143 (3) (d) of the statutes is amended to read:

17 101.143 (3) (d) *Review of site investigations, remedial action plans and Final*
18 *review of remedial action activities.* ~~The department of natural resources or, if the~~
19 ~~discharge is covered under s. 101.144 (2) (b), the department of commerce shall, at~~
20 ~~the request of the claimant, review the site investigation and the remedial action~~
21 ~~plan and advise the claimant on the adequacy of proposed remedial action activities~~
22 ~~in meeting the requirements of s. 292.11. The advice is not an approval of the~~
23 ~~remedial action activities.~~ The department of natural resources or, if the discharge
24 is covered under s. 101.144 (2) (b), the department of commerce shall complete a final

1 review of the remedial action activities within 60 days after the claimant notifies the
2 appropriate department that the remedial action activities are completed.

3 **SECTION 1985e.** 101.143 (3) (g) (intro.) and 1. of the statutes are consolidated,
4 renumbered 101.143 (3) (g) and amended to read:

5 101.143 (3) (g) *Emergency situations.* Notwithstanding pars. (a) 3. and (c) 1.
6 and 2., an owner or operator or the person may submit a claim for an award under
7 sub. (4) after notifying the department under par. (a) 3., without completing an
8 investigation under par. (c) 1. and without preparing a remedial action plan under
9 par. (c) 2. if ~~any of the following apply:~~ 1. An ~~an~~ emergency existed which made the
10 investigation under par. (c) 1. and the remedial action plan under par. (c) 2.
11 inappropriate and, before conducting remedial action, the owner or operator or
12 person notified the department of commerce and the department of natural
13 resources of the emergency and the department of commerce and the department of
14 natural resources authorized emergency action.

15 **SECTION 1985f.** 101.143 (3) (g) 2. of the statutes is repealed.

16 **SECTION 1985m.** 101.143 (4) (b) (intro.) of the statutes is amended to read:

17 101.143 (4) (b) *Eligible costs.* (intro.) ~~Eligible~~ Except as provided in par. (c),
18 eligible costs for an award under par. (a) include actual costs or, if the department
19 establishes a schedule usual and customary cost under par. (cm) for an item, usual
20 and customary costs for the following items ~~only:~~

21 **SECTION 1985w.** 101.143 (4) (c) (intro.) of the statutes is amended to read:

22 101.143 (4) (c) *Exclusions from eligible costs.* (intro.) Eligible costs for an
23 award under par. (a) do not include the following, regardless of whether a competitive
24 bidding process is used:

1 **SECTION 1986c.** 101.143 (4) (c) 8. of the statutes is renumbered 101.143 (4) (c)
2 8. (intro.) and amended to read:

3 101.143 **(4)** (c) 8. (intro.) Interest costs incurred by an applicant that exceed
4 interest at ~~1% over the prime rate, as determined under rules promulgated by the~~
5 ~~department.~~ the following rate:

6 **SECTION 1986e.** 101.143 (4) (c) 8. a. to f. of the statutes are created to read:

7 101.143 **(4)** (c) 8. a. If the applicant has gross revenues of not more than
8 \$5,000,000 in the most recent tax year before the applicant submits a claim, 1% over
9 the prime rate.

10 b. If the applicant has gross revenues of more than \$5,000,000 but not more
11 than \$15,000,000 in the most recent tax year before the applicant submits a claim,
12 the prime rate.

13 c. If the applicant has gross revenues of more than \$15,000,000 but not more
14 than \$25,000,000 in the most recent tax year before the applicant submits a claim,
15 1% under the prime rate.

16 d. If the applicant has gross revenues of more than \$25,000,000 but not more
17 than \$35,000,000 in the most recent tax year before the applicant submits a claim,
18 2% under the prime rate.

19 e. If the applicant has gross revenues of more than \$35,000,000 but not more
20 than \$45,000,000 in the most recent tax year before the applicant submits a claim,
21 3% under the prime rate.

22 f. If the applicant has gross revenues of more than \$45,000,000 in the most
23 recent tax year before the applicant submits a claim, 4% under the prime rate.

24 **SECTION 1986g.** 101.143 (4) (c) 10. of the statutes is created to read:

25 101.143 **(4)** (c) 10. Fees charged under sub. (2) (L) or s. 292.55 (2).

1 **SECTION 1986i.** 101.143 (4) (c) 11. of the statutes is created to read:

2 101.143 (4) (c) 11. Costs that exceed the amount necessary to comply with sub.
3 (3) (c) 3. and with enforcement standards using the least costly method.

4 **SECTION 1986k.** 101.143 (4) (c) 12. of the statutes is created to read:

5 101.143 (4) (c) 12. Costs that are incurred after the date of a notice under sub.
6 (3) (cw) 1. or 2. and that exceed the amount necessary to comply with sub. (3) (c) 3.
7 and with enforcement standards using the method specified in the notice.

8 **SECTION 1986m.** 101.143 (4) (cm) of the statutes is renumbered 101.143 (4)
9 (cm) 1. and amended to read:

10 101.143 (4) (cm) 1. The department may shall establish a schedule of usual and
11 customary costs for any items under par. (b) and may that are commonly associated
12 with claims under this section. The department shall use that schedule to determine
13 the amount of a claimant's eligible costs for an occurrence for which a competitive
14 bidding process is not used, except in circumstances under which higher costs must
15 be incurred to comply with sub. (3) (c) 3. and with enforcement standards. For an
16 occurrence for which a competitive bidding process is used, the department may not
17 use the schedule. In the schedule, the department shall specify the maximum
18 number of reimbursable hours for particular tasks and the maximum reimbursable
19 hourly rates for those tasks. The department shall use methods of data collection and
20 analysis that enable the schedule to be revised to reflect changes in actual costs. This
21 subdivision does not apply after June 30, 2001.

22 **SECTION 1986p.** 101.143 (4) (cm) 2. of the statutes is created to read:

23 101.143 (4) (cm) 2. The department may establish a schedule of usual and
24 customary costs for any items under par. (b) and may use that schedule to determine

1 the amount of a claimant's eligible costs. This subdivision applies after
2 June 30, 2001.

3 **SECTION 1987b.** 101.143 (4) (d) 2. (intro.) of the statutes is amended to read:

4 101.143 (4) (d) 2. (intro.) The department shall issue the award under this
5 paragraph without regard to fault in an amount equal to the amount of the eligible
6 costs that exceeds a the deductible amount of \$2,500 plus 5% of the eligible costs, but
7 ~~not more than \$7,500 per occurrence, except that the deductible amount for a~~
8 ~~petroleum product storage system that is owned by a school district or a technical~~
9 ~~college district and that is used for storing heating oil for consumptive use on the~~
10 ~~premises is 25% of eligible costs under par. (dg).~~ An award issued under this
11 paragraph may not exceed the following for each occurrence:

12 **SECTION 1991c.** 101.143 (4) (dg) of the statutes is created to read:

13 101.143 (4) (dg) *Deductible; underground systems.* The amount of the
14 deductible for an award under par. (d) is as follows for each occurrence:

15 1. Except as provided under par. (di), for an owner or operator of an
16 underground petroleum product storage tank system that is located at a facility at
17 which petroleum is stored for resale or an owner or operator of an underground
18 petroleum product storage tank system that handles an annual average of more than
19 10,000 gallons of petroleum per month, \$3,000 plus 3% of the amount by which
20 eligible costs exceed \$60,000.

21 2. For a school district or a technical college district with respect to a discharge
22 from an underground petroleum product storage tank system that is used for storing
23 heating oil for consumptive use on the premises, 25% of eligible costs.

24 3. For the owner or operator of a petroleum product storage system that is
25 described in par. (ei) 1., \$5,000.

1 4. For an owner or operator other than an owner or operator described in subd.
2 1., 2. or 3., \$2,500, plus 5% of eligible costs, but not more than \$7,500.

3 **SECTION 1992c.** 101.143 (4) (di) of the statutes is created to read:

4 101.143 (4) (di) *Rules concerning deductible for underground systems.* The
5 department may promulgate rules describing a class of owners and operators of
6 underground petroleum product storage tank systems otherwise subject to par. (dg)
7 1. for whom the deductible is the amount under par. (dg) 4. rather than the amount
8 under par. (dg) 1. if the class is based on financial hardship or consists of local
9 governmental units that are conducting remedial action as part of projects to
10 redevelop brownfields, as defined in s. 560.13 (1) (a).

11 **SECTION 1993c.** 101.143 (4) (dm) 2. a. of the statutes is amended to read:

12 101.143 (4) (dm) 2. a. For the owner or operator of a terminal, \$15,000 plus 5%
13 10% of the amount by which eligible costs exceed \$200,000.

14 **SECTION 1993f.** 101.143 (4) (dm) 2. c. of the statutes is amended to read:

15 101.143 (4) (dm) 2. c. For the owner or operator of a petroleum product storage
16 system that is described in par. (ei) 1., ~~\$2,500 plus 5% of eligible costs but not more~~
17 ~~than \$7,500~~ \$5,000 per occurrence.

18 **SECTION 1993m.** 101.143 (4) (ei) 2. of the statutes is repealed and recreated to
19 read:

20 101.143 (4) (ei) 2. The department shall review claims related to discharges
21 from farm tanks described in subd. 1. as soon as the claims are received. The
22 department shall issue an award for an eligible discharge from a farm tank described
23 in subd. 1. as soon as it completes the review of the claim.

24 **SECTION 1994.** 101.143 (9m) of the statutes is created to read:

1 101.143 **(9m)** REVENUE OBLIGATIONS. (a) For purposes of subch. II of ch. 18, the
2 petroleum storage remedial action program is a special fund program, and the
3 petroleum inspection fund is a special fund. The petroleum inspection fund is a
4 segregated fund created by the imposition of fees, penalties or excise taxes. The
5 legislature finds and determines that a nexus exists between the petroleum storage
6 remedial action program and the petroleum inspection fund in that fees imposed on
7 users of petroleum are used to remedy environmental damage caused by petroleum
8 storage.

9 (b) Deposits, appropriations or transfers to the petroleum inspection fund for
10 the purposes of the petroleum storage remedial action program may be funded with
11 the proceeds of revenue obligations issued subject to and in accordance with subch.
12 II of ch. 18 and, if designated a higher education bond, in accordance with subch. IV
13 of ch. 18.

14 (e) The department shall have all other powers necessary and convenient to
15 distribute the special fund revenues and to distribute the proceeds of the revenue
16 obligations in accordance with subch. II of ch. 18 and, if designated a higher
17 education bond, in accordance with subch. IV of ch. 18.

18 (f) The department may enter into agreements with the federal government or
19 its agencies, political subdivisions of this state, individuals or private entities to
20 insure or in any other manner provide additional security for the revenue obligations
21 issued under this subsection.

22 (g) 1. Subject to the limitation under subd. 2., the building commission shall
23 contract revenue obligations under this subsection, as soon as practicable after the
24 effective date of this subdivision ... [revisor inserts date], in the maximum amount

1 that the building commission believes can be fully paid on a timely basis from moneys
2 received or anticipated to be received.

3 2. Revenue obligations issued under this subsection may not exceed
4 \$270,000,000 in principal amount. In addition to this limit on principal amount, the
5 building commission may contract revenue obligations under this subsection as the
6 building commission determines is desirable to fund or refund outstanding revenue
7 obligations, to pay issuance or administrative expenses, to make deposits to reserve
8 funds or to pay accrued or capitalized interest.

9 (h) Unless otherwise expressly provided in resolutions authorizing the
10 issuance of revenue obligations or in other agreements with the owners of revenue
11 obligations, each issue of revenue obligations under this subsection shall be on a
12 parity with every other revenue obligation issued under this subsection and in
13 accordance with subch. II of ch. 18 and, if designated a higher education bond, in
14 accordance with subch. IV of ch. 18.

15 (i) Recognizing its moral obligation to do so, the legislature expresses its
16 expectation and aspiration that, if the legislature reduces the rate of the petroleum
17 inspection fee and if the funds in the petroleum inspection fund are insufficient to
18 pay the principal and interest on the revenue obligations issued under subch. II or
19 IV of ch. 18 pursuant to this subsection, the legislature shall make an appropriation
20 from the general fund sufficient to pay the principal and interest on the obligations.

21 **SECTION 1994m.** 101.143 (11) of the statutes is created to read:

22 101.143 (11) REPORTS. No later than each January 1 and July 1, the
23 department of commerce and the department of natural resources shall submit the
24 the governor, to the joint legislative audit committee, to the joint committee on
25 finance and to the appropriate standing committees of the legislature, under s.

1 13.172 (3), a report on the program under this section. The departments shall
2 include all of the following information in the report:

3 (a) All of the following information for each petroleum product storage system
4 and home oil tank system from which a discharge has occurred for which remedial
5 action activities are being conducted:

6 1. The date on which the record of the site investigation was received.

7 2. The environmental risk factors, as defined by the department of commerce
8 by rule, identified at the site.

9 3. The year in which the approval under sub. (3) (c) 4. is expected to be issued.

10 (am) The number of notices received under sub. (3) (a) 3. and the number of
11 approvals given under sub. (3) (c) 4.

12 (b) The percentage of sites classified as high risk under s. 101.144.

13 (c) The name of each person providing engineering consulting services to a
14 claimant under this section and the number of claimants to whom the person has
15 provided those services.

16 (d) The charges for engineering consulting services for sites for which
17 approvals are given under sub. (3) (c) 4. and for other sites.

18 (e) The charges by service providers other than engineering consultants for
19 services for which reimbursement is provided under this section, including
20 excavating, hauling, laboratory testing and landfill disposal.

21 (em) Whether disputes have arisen between the departments under sub. (3)
22 (cw) 2. and, if so, how those disputes have been resolved.

23 (f) Strategies for recording and monitoring complaints of fraud in the program
24 under this section and for the use of employees of the department of commerce who
25 conduct audits to identify questionable claims and investigate complaints.

1 **SECTION 1995p.** 101.144 (1) (ae) of the statutes is created to read:

2 101.144 (1) (ae) “Enforcement standard” has the meaning given in s. 160.01 (2).

3 **SECTION 1995r.** 101.144 (1) (aq) of the statutes is created to read:

4 101.144 (1) (aq) Except as provided under sub. (3g), “high-risk site” means the
5 site of a discharge of a petroleum product from a petroleum storage tank if the
6 discharge has resulted in a concentration of contaminants that exceeds an
7 enforcement standard in soil that has a hydraulic conductivity of 1×10^{-5} centimeters
8 per second or if at least one of the following applies:

9 1. Repeated tests show that the discharge has resulted in a concentration of
10 contaminants in a well used to provide water for human consumption that exceeds
11 a preventive action limit, as defined in s. 160.01 (6).

12 2. Petroleum product that is not in dissolved phase is present with a thickness
13 of 0.01 feet or more, as shown by repeated measurements.

14 3. An enforcement standard is exceeded in groundwater within 1,000 feet of a
15 well operated by a public utility, as defined in s. 196.01 (5), or within 100 feet of any
16 other well used to provide water for human consumption.

17 4. An enforcement standard is exceeded in fractured bedrock.

18 **SECTION 1996c.** 101.144 (2) (b) 1. of the statutes is amended to read:

19 101.144 (2) (b) 1. The site of the discharge is classified, as provided under sub.
20 (3m) (a) 3., as medium ~~priority~~ risk or low ~~priority~~ risk, based on the threat that the
21 discharge poses to public health, safety and welfare and to the environment.

22 **SECTION 1996e.** 101.144 (2) (b) 2. of the statutes is amended to read:

23 101.144 (2) (b) 2. The site of the discharge is not contaminated by a hazardous
24 substance other than the petroleum product, including any additive, that was
25 discharged from the petroleum storage tank.

1 **SECTION 1997c.** 101.144 (3g) of the statutes is created to read:

2 101.144 **(3g)** (a) If, on December 1, 1999, more than 35% of sites classified
3 under this section, excluding sites that are contaminated by a hazardous substance
4 other than a petroleum product or an additive to a petroleum product, are classified
5 as high-risk sites, the department of commerce and the department of natural
6 resources shall attempt to reach an agreement that specifies standards for
7 determining whether the site of a discharge of a petroleum product from a petroleum
8 storage tank is classified as high risk. The standards shall be designed to classify
9 no more than 35% of those sites as high-risk sites and may not classify all sites at
10 which an enforcement standard is exceeded as high-risk sites. If the department of
11 commerce and the department of natural resources are unable to reach an
12 agreement, they shall refer the matters on which they are unable to agree to the
13 secretary of administration for resolution. The secretary of administration shall
14 resolve any matters on which the departments disagree in a manner that is
15 consistent with this paragraph. The department of commerce shall promulgate rules
16 incorporating any agreement between the department of commerce and the
17 department of natural resources under this paragraph and any resolution of
18 disagreements between the departments by the secretary of administration under
19 this paragraph.

20 (b) If, 6 months after rules under par. (a) are in effect, more than 35% of the sites
21 classified under this section, excluding sites that are contaminated by a hazardous
22 substance other than a petroleum product or an additive to a petroleum product, are
23 classified as high-risk sites, the department of commerce shall revise the rules using
24 the procedure for promulgating the rules in par. (a).

25 **SECTION 1998ac.** 101.144 (3m) (a) 3. of the statutes is amended to read:

1 101.144 **(3m)** (a) 3. Establishes ~~procedures, standards and schedules~~ for
2 determining whether the site of a discharge of a petroleum product from a petroleum
3 storage tank is classified as ~~high priority, medium priority risk~~ or ~~low priority risk~~
4 and establishes procedures and schedules for classifying sites of discharges of
5 petroleum products from petroleum storage tanks.

6 **SECTION 1998af.** 101.63 (3m) of the statutes is created to read:

7 101.63 **(3m)** Contract with a private organization to provide education
8 regarding construction standards and inspection requirements under this
9 subchapter and under rules promulgated under this subchapter to builders of
10 dwellings in this state. The department may only contract with an organization
11 under this subsection if the organization is described in section 501 (c) (6) of the
12 Internal Revenue Code and is exempt from federal income tax under section 501 (a)
13 of the Internal Revenue Code.

14 **SECTION 1998ak.** 101.651 (title) of the statutes is amended to read:

15 **101.651 (title) Certain municipalities excepted exempted.**

16 **SECTION 1998ap.** 101.651 (1) (title) of the statutes is created to read:

17 101.651 **(1)** (title) DEFINITION.

18 **SECTION 1998as.** 101.651 (2) of the statutes is repealed.

19 **SECTION 1998av.** 101.651 (2m) of the statutes is created to read:

20 101.651 **(2m)** EXEMPTION BY RESOLUTION. A municipality shall exercise
21 jurisdiction over the construction and inspection of new one- and 2-family dwellings
22 by enacting ordinances under s. 101.65 (1) (a) or shall exercise the jurisdiction
23 granted under s. 101.65 (1) (a) jointly under s. 101.65 (1) (b), unless any of the
24 following conditions are met:

1 (a) The municipality adopts a resolution requesting under sub. (3) (a) that a
2 county enforce this subchapter or an ordinance enacted under s. 101.65 (1) (a)
3 throughout the municipality and that a county provide inspection services in the
4 municipality to administer and enforce this subchapter or an ordinance enacted
5 under s. 101.65 (1) (a).

6 (b) The municipality adopts a resolution determining not to exercise
7 jurisdiction over the construction and inspection of new one- and 2-family dwellings
8 under s. 101.65 (1) (a), not to exercise jurisdiction jointly under s. 101.65 (1) (b), not
9 to request under sub. (3) (a) that a county enforce this subchapter or an ordinance
10 enacted under s. 101.65 (1) (a) throughout the municipality and not to request under
11 sub. (3) (a) that a county provide inspection services in the municipality to
12 administer and enforce this subchapter or an ordinance enacted under s. 101.65 (1)
13 (a).

14 (c) Under sub. (3) (b), the department enforces this subchapter or an ordinance
15 enacted under s. 101.65 (1) (a) throughout the municipality and provides inspection
16 services in the municipality to administer and enforce this subchapter or an
17 ordinance enacted under s. 101.65 (1) (a).

18 **SECTION 1998aw.** 101.651 (3) (title) of the statutes is created to read:

19 101.651 (3) (title) DEPARTMENTAL AND COUNTY AUTHORITY IN MUNICIPALITIES;
20 GENERALLY.

21 **SECTION 1998ax.** 101.651 (3) of the statutes is renumbered 101.651 (3) (a) and
22 amended to read:

23 101.651 (3) (a) Except as provided in par. (b) or sub. (3m) or (3s), the department
24 or a county may not enforce this subchapter or an ordinance enacted under s. 101.65
25 (1) (a) or provide inspection services in a municipality unless requested to do so by

1 a person with respect to a particular dwelling or by the municipality. A request by
2 a person or a municipality-with respect to a particular dwelling does not give the
3 department or a county authority with respect to any other dwelling. Costs shall be
4 collected under s. 101.65 (1) (c) or ss. 101.63 (9) and 101.65 (2) from ~~the~~ a person or
5 municipality making the a request under this subsection.

6 **SECTION 1998az.** 101.651 (3) (b) of the statutes is created to read:

7 101.651 (3) (b) The department shall provide inspection services and shall
8 enforce this subchapter or an ordinance enacted under s. 101.65 (1) (a) throughout
9 any municipality that does not exercise jurisdiction under sub. (2m) and that has not
10 adopted a resolution under sub. (2m) (a) or (b).

11 **SECTION 1998bc.** 101.651 (3m) (title) of the statutes is created to read:

12 101.651 (3m) (title) AUTHORITY OVER EROSION CONTROL IN TOWNS,
13 UNINCORPORATED AREAS AND CERTAIN EXEMPTED MUNICIPALITIES.

14 **SECTION 1998bg.** 101.651 (3m) of the statutes is renumbered 101.651 (3m) (a)
15 and amended to read:

16 101.651 (3m) (a) The department may enforce s. 101.653 in a municipality that
17 ~~does not perform or contract for inspection services under s. 101.65 (1) (a) or (b)~~
18 adopts a resolution under sub. (2m) (b). A county may enforce those provisions of an
19 ordinance enacted under s. 101.65 (1) (a) related to construction site erosion in any
20 city or village that ~~does not perform or contract for inspection services under s. 101.65~~
21 ~~(1) (a) or (b)~~ adopts a resolution under sub. (2m) (b). The department or the county
22 shall collect a fee for the inspection services under this subsection.

23 **SECTION 1998bL.** 101.651 (3s) of the statutes is renumbered 101.651 (3m) (b).

24 **SECTION 1998bp.** 101.651 (4) (title) of the statutes is created to read:

25 101.651 (4) (title) DATA RELATING TO HOUSING STARTS IN MUNICIPALITIES.

1 **SECTION 1998bt.** 101.651 (5) (title) of the statutes is created to read:

2 101.651 **(5)** (title) EFFECT OF SECTION ON CERTAIN LAWS.

3 **SECTION 1998bx.** 101.651 (6) (title) of the statutes is created to read:

4 101.651 **(6)** (title) ENERGY CONSERVATION RULES; CONTINUING EFFECT.

5 **SECTION 1998cc.** 101.91 (1) of the statutes is renumbered 101.91 (2e).

6 **SECTION 1998cg.** 101.91 (1g), (1m), (2g) and (2m) of the statutes are created
7 to read:

8 101.91 **(1g)** “Delivery date” means the date on which a mobile home is
9 physically delivered to the site chosen by the mobile home owner.

10 **(1m)** “License period” means the period during which a license issued under
11 s. 101.951 or 101.952 is effective, as established by the department under s. 101.951
12 (2) (b) 1. or 101.952 (2) (b) 1.

13 **(2g)** “Mobile home dealer” means a person who, for a commission or other thing
14 of value, sells, exchanges, buys or rents, or offers or attempts to negotiate a sale or
15 exchange of an interest in, mobile homes or who is engaged wholly or partially in the
16 business of selling mobile homes, whether or not the mobile homes are owned by the
17 person, but does not include:

18 (a) A receiver, trustee, administrator, executor, guardian or other person
19 appointed by or acting under the judgment or order of any court.

20 (b) Any public officer while performing that officer’s official duty.

21 (c) Any employe of a person enumerated in par. (a) or (b).

22 (d) Any lender, as defined in s. 421.301 (22).

23 (e) A person transferring a mobile home used for that person’s personal, family
24 or household purposes, if the transfer is an occasional sale and is not part of the
25 business of the transferor.

1 **(2m)** “Mobile home owner” means any person who purchases, or leases from
2 another, a mobile home primarily for use for personal, family or household purposes.

3 **SECTION 1998cL.** 101.91 (3) of the statutes is amended to read:

4 101.91 **(3)** “Mobile home park” ~~has the meaning given in s. 66.058 (1) (e) means~~
5 any plot or plots of ground upon which 3 or more mobile homes or manufactured
6 homes that are occupied for dwelling or sleeping purposes are located. “Mobile home
7 park” does not include a farm where the occupants of the mobile homes or
8 manufactured homes are the father, mother, son, daughter, brother or sister of the
9 farm owner or operator or where the occupants of the mobile homes or manufactured
10 homes work on the farm.

11 **SECTION 1998cp.** 101.91 (4), (5) and (6) of the statutes are created to read:

12 101.91 **(4)** “Mobile home salesperson” means any person who is employed by
13 a mobile home manufacturer or mobile home dealer to sell or lease mobile homes.

14 **(5)** “New mobile home” means a mobile home that has never been occupied,
15 used or sold for personal or business use.

16 **(6)** “Used mobile home” means a mobile home that has previously been
17 occupied, used or sold for personal or business use.

18 **SECTION 1998ct.** 101.92 (9) of the statutes is created to read:

19 101.92 **(9)** Shall promulgate rules and establish standards necessary to carry
20 out the purposes of ss. 101.953 and 101.954.

21 **SECTION 1998cx.** 101.9202 of the statutes is created to read:

22 **101.9202 Excepted liens and security interests.** Sections 101.9203 to
23 101.9218 do not apply to or affect:

24 **(1)** A lien given by statute or rule of law to a supplier of services or materials
25 for the mobile home.

1 **(2)** A lien given by statute to the United States, this state or any political
2 subdivision of this state.

3 **(3)** A security interest in a mobile home created by a mobile home dealer or
4 manufacturer who holds the mobile home for sale, which shall be governed by the
5 applicable provisions of ch. 409.

6 **SECTION 1998gc.** 101.9203 of the statutes is created to read:

7 **101.9203 When certificate of title required. (1)** The owner of a mobile
8 home situated in this state or intended to be situated in this state shall make
9 application for certificate of title under s. 101.9209 for the mobile home if the owner
10 has newly acquired the mobile home.

11 **(2)** Any owner who situates in this state a mobile home for which a certificate
12 of title is required without such certificate having been issued or applied for, knowing
13 that the certificate of title has not been issued or applied for, may be required to
14 forfeit not more than \$200. A certificate is considered to have been applied for when
15 the application accompanied by the required fee has been delivered to the
16 department or deposited in the mail properly addressed and with postage prepaid.

17 **(3)** Unless otherwise authorized by rule of the department, a nonresident
18 owner of a mobile home situated in this state may not apply for a certificate of title
19 under this subchapter unless the mobile home is subject to a security interest or
20 except as provided in s. 101.9209 (1) (a).

21 **SECTION 1998gg.** 101.9204 of the statutes is created to read:

22 **101.9204 Application for certificate of title. (1)** An application for a
23 certificate of title shall be made to the department upon a form or in an automated
24 format prescribed by it and shall be accompanied by the required fee. Each
25 application for certificate of title shall include the following information:

1 (a) The name and address of the owner.

2 (b) A description of the mobile home, including make, model, identification
3 number and any other information or documentation that the department may
4 reasonably require for proper identification of the mobile home.

5 (c) The date of purchase by the applicant, the name and address of the person
6 from whom the mobile home was acquired and the names and addresses of any
7 secured parties in the order of their priority.

8 (d) If the mobile home is a new mobile home being titled for the first time, the
9 signature of the mobile home dealer. The document of origin shall contain the
10 information specified by the department.

11 (e) Any further evidence of ownership which the department may reasonably
12 require to enable it to determine whether the owner is entitled to a certificate of title
13 and the existence or nonexistence of security interests in the mobile home.

14 (f) If the identification number of the mobile home has been removed,
15 obliterated or altered, or if the original casting has been replaced, or if the mobile
16 home has not been numbered by the manufacturer, the application for certificate of
17 title shall so state.

18 (g) If the mobile home is a used mobile home which was last previously titled
19 in another jurisdiction, the applicant shall furnish any certificate of ownership
20 issued by the other jurisdiction and a statement pertaining to the title history and
21 ownership of the mobile home, such statement to be in the form that the department
22 prescribes.

23 **(1m)** On the form or in the automated format for application for a certificate
24 of title, the department may show the fee under s. 101.9208 (1) (dm) separately from
25 the fee under s. 101.9208 (1) (a) or (d).

1 **(2)** Any person who knowingly makes a false statement in an application for
2 a certificate of title may be fined not more than \$5,000 or imprisoned for not more
3 than 5 years or both.

4 **SECTION 1998gL.** 101.9205 of the statutes is created to read:

5 **101.9205 When department to issue certificate and to whom;**
6 **maintenance of records. (1)** The department shall maintain a record of each
7 application for certificate of title received by it and, when satisfied as to its
8 genuineness and regularity and that the applicant is entitled to the issuance of a
9 certificate of title, shall issue and deliver a certificate to the owner of the mobile
10 home.

11 **(2)** The department shall maintain a record of all applications, and all
12 certificates of title issued by the department, indexed in the following manners:

13 (a) According to title number.

14 (b) Alphabetically, according to the name of the owner.

15 (c) In any other manner which the department determines to be desirable.

16 **(3)** The department shall charge a fee of not less than \$2 for conducting a file
17 search of mobile home title records.

18 **SECTION 1998gp.** 101.9206 of the statutes is created to read:

19 **101.9206 Contents of certificate of title. (1)** Each certificate of title issued
20 by the department shall contain all of the following:

21 (a) The name and address of the owner.

22 (b) The names of any secured parties in the order of priority as shown on the
23 application or, if the application is based on another certificate of title, as shown on
24 that certificate.

25 (c) The title number assigned to the mobile home.

1 (d) A description of the mobile home, including make, model and identification
2 number.

3 (e) Any other data which the department considers pertinent and desirable.

4 **(2)** (a) The certificate of title shall contain spaces for all of the following:

5 1. Assignment and warranty of title by the owner.

6 2. Reassignment and warranty of title by a mobile home dealer.

7 (b) The certificate of title may contain spaces for application for a certificate of
8 title by a transferee and for the naming of a secured party and the assignment or
9 release of a security interest.

10 **(3)** (a) Unless the applicant fulfills the requirements of par. (b), the department
11 shall issue a distinctive certificate of title for a mobile home last previously registered
12 in another jurisdiction if the laws of the other jurisdiction do not require that secured
13 parties be named on a certificate of title to perfect their security interests. The
14 certificate shall contain the legend “This mobile home may be subject to an
15 undisclosed security interest” and may contain any other information that the
16 department prescribes. If the department receives no notice of a security interest in
17 the mobile home within 4 months from the issuance of the distinctive certificate of
18 title, the department shall, upon application and surrender of the distinctive
19 certificate, issue a certificate of title in ordinary form.

20 (b) The department may issue a nondistinctive certificate of title if the
21 applicant fulfills either of the following requirements:

22 1. The applicant is a mobile home dealer and is financially responsible as
23 substantiated by the last financial statement on file with the department, a finance
24 company licensed under s. 138.09, a bank organized under the laws of this state, or
25 a national bank located in this state.

1 2. The applicant has filed with the department a bond in the form prescribed
2 by the department and executed by the applicant, and either accompanied by the
3 deposit of cash with the department or also executed by a person authorized to
4 conduct a surety business in this state. The bond shall be in an amount equal to 1.5
5 times the value of the mobile home as determined by the department and conditioned
6 to indemnify any prior owner and secured party and any subsequent purchaser of the
7 mobile home or person acquiring any security interest in it, and their respective
8 successors in interest, against any expense, loss or damage, including reasonable
9 attorney fees, by reason of the issuance of the certificate of title of the mobile home
10 or on account of any defect in or undisclosed security interest upon the right, title and
11 interest of the applicant in and to the mobile home. Any such interested person has
12 a right of action to recover on the bond for any breach of its conditions, but the
13 aggregate liability of the surety to all persons shall not exceed the amount of the
14 bond. The bond, and any deposit accompanying it, shall be returned at the end of 5
15 years or prior thereto if, apart from this section, a nondistinctive certificate of title
16 could then be issued for the mobile home.

17 **(4)** A certificate of title issued by the department is prima facie evidence of the
18 facts appearing on it.

19 **(5)** The department may issue a certificate of title in an automated format.

20 **SECTION 1998gt.** 101.9207 of the statutes is created to read:

21 **101.9207 Lost, stolen or mutilated certificates. (1)** If a certificate of title
22 is lost, stolen, mutilated or destroyed or becomes illegible, the owner or legal
23 representative of the owner named in the certificate, as shown by the records of the
24 department, shall promptly make application for and may obtain a replacement
25 upon furnishing information satisfactory to the department. The replacement

1 certificate of title shall contain the legend “This is a replacement certificate and may
2 be subject to the rights of a person under the original certificate”.

3 (2) A person recovering an original certificate of title for which a replacement
4 has been issued shall promptly surrender the original certificate to the department.

5 **SECTION 1998gx.** 101.9208 of the statutes is created to read:

6 **101.9208 Fees. (1)** The department shall be paid the following fees:

7 (a) For filing an application for the first certificate of title, \$8.50, by the owner
8 of the mobile home.

9 (b) Upon filing an application under sub. (1) or (4) before the first day of the
10 2nd month beginning after the effective date of this subsection [revisor inserts
11 date], an environmental impact fee of \$5, by the person filing the application. Upon
12 filing an application under sub. (1) or (4) on or after the first day of the 2nd month
13 beginning after the effective date of this subsection [revisor inserts date], an
14 environmental impact fee of \$6, by the person filing the application. All moneys
15 collected under this subsection shall be credited to the environmental fund for
16 environmental management.

17 (c) For the original notation and subsequent release of each security interest
18 noted upon a certificate of title, a single fee of \$4 by the owner of the mobile home.

19 (d) For a certificate of title after a transfer, \$8.50, by the owner of the mobile
20 home.

21 (dm) Upon filing an application under par. (a) or (d), a supplemental title fee
22 of \$7.50 by the owner of the mobile home, except that this fee shall be waived with
23 respect to an application under par. (d) for transfer of a decedent’s interest in a mobile
24 home to his or her surviving spouse. The fee specified under this paragraph is in
25 addition to any other fee specified in this section.

1 (f) For each assignment of a security interest noted upon a certificate of title,
2 \$1 by the assignee.

3 (g) For a replacement certificate of title, \$8, by the owner of the mobile home.

4 (h) For processing applications for certificates of title which have a special
5 handling request for fast service, a fee established by the department by rule, which
6 fee shall approximate the cost to the department for providing this special handling
7 service to persons so requesting.

8 (i) For the reinstatement of a certificate of title previously suspended or
9 revoked, \$25.

10 **(2)** All fees collected under sub. (1), except fees collected under sub. (1) (b), shall
11 be deposited in the transportation fund.

12 **SECTION 1998Lc.** 101.9209 of the statutes is created to read:

13 **101.9209 Transfer of interest in a mobile home.** **(1)** (a) If an owner
14 transfers an interest in a mobile home, other than by the creation of a security
15 interest, the owner shall, at the time of the delivery of the mobile home, execute an
16 assignment and warranty of title to the transferee in the space provided therefor on
17 the certificate, and cause the certificate to be mailed or delivered to the transferee.

18 (b) Any person who holds legal title of a mobile home with one or more other
19 persons may transfer ownership of the mobile home under this subsection if legal
20 title to the mobile home is held in the names of such persons in the alternative,
21 including a mobile home held in a form designating the holder by the words “(name
22 of one person) or (name of other person)”.

23 **(2)** Promptly after delivery to him or her of the mobile home, the transferee
24 shall execute the application for a new certificate of title in the space provided

1 therefor on the certificate or as the department prescribes, and cause the certificate
2 and application to be mailed or delivered to the department.

3 (3) A transfer by an owner is not effective until the provisions of this section
4 have been complied with. An owner who has delivered possession of the mobile home
5 to the transferee and has complied with the provisions of this section requiring action
6 by him or her is not liable as owner for any damages thereafter resulting from use
7 of the mobile home.

8 (4) Any owner of a mobile home for which a certificate of title has been issued,
9 who upon transfer of the mobile home fails to execute and deliver the assignment and
10 warranty of title required by sub. (1), may be required to forfeit not more than \$500.

11 (5) (a) Any transferee of a mobile home who fails to make application for a new
12 certificate of title immediately upon transfer to him or her of a mobile home may be
13 required to forfeit not more than \$200.

14 (b) Any transferee of a mobile home who, with intent to defraud, fails to make
15 application for a new certificate of title immediately upon transfer to him or her of
16 a mobile home may be fined not more than \$1,000 or imprisoned for not more than
17 30 days or both.

18 (c) A certificate is considered under this subsection to have been applied for
19 when the application accompanied by the required fee has been delivered to the
20 department or deposited in the mail properly addressed with postage prepaid.

21 **SECTION 1998Lg.** 101.921 of the statutes is created to read:

22 **101.921 Transfer to or from dealer.** (1) (a) Except as provided in par. (b),
23 if a mobile home dealer acquires a mobile home and holds it for resale or accepts a
24 mobile home for sale on consignment, the mobile home dealer may not submit to the
25 department the certificate of title or application for certificate of title naming the

1 mobile home dealer as owner of the mobile home. Upon transferring the mobile home
2 to another person, the mobile home dealer shall immediately give the transferee, on
3 a form prescribed by the department, a receipt for all title, security interest and sales
4 tax moneys paid to the mobile home dealer for transmittal to the department when
5 required. The mobile home dealer shall promptly execute the assignment and
6 warranty of title, showing the name and address of the transferee and of any secured
7 party holding a security interest created or reserved at the time of the resale or sale
8 on consignment, in the spaces provided therefor on the certificate or as the
9 department prescribes. Within 7 business days following the sale or transfer, the
10 mobile home dealer shall mail or deliver the certificate or application for certificate
11 to the department with the transferee's application for a new certificate. A
12 nonresident who purchases a mobile home from a mobile home dealer in this state
13 may not, unless otherwise authorized by rule of the department, apply for a
14 certificate of title issued for the mobile home in this state unless the mobile home
15 dealer determines that a certificate of title is necessary to protect the interests of a
16 secured party. The mobile home dealer is responsible for determining whether a
17 certificate of title and perfection of security interest is required. The mobile home
18 dealer is liable for any damages incurred by the department or any secured party for
19 the mobile home dealer's failure to perfect a security interest which the mobile home
20 dealer had knowledge of at the time of sale.

21 (b) Except when all available spaces for a mobile home dealer's reassignment
22 on a certificate of title have been completed or as otherwise authorized by rules of the
23 department, a mobile home dealer who acquires a mobile home and holds it for resale
24 or accepts a mobile home for sale on consignment may not apply for a certificate of
25 title naming the mobile home dealer as owner of the mobile home.

1 (c) Unless exempted by rule of the department, a mobile home dealer who
2 acquires a mobile home and holds it for resale shall make application for a certificate
3 of title naming the mobile home dealer as owner of the mobile home when all of the
4 available spaces for a mobile home dealer's reassignment on the certificate of title
5 for such mobile home have been completed.

6 (2) Every mobile home dealer shall maintain for 5 years a record of every mobile
7 home bought, sold or exchanged, or received for sale or exchange. The record shall
8 be open to inspection by a representative of the department or by a peace officer
9 during reasonable business hours. The dealer shall maintain the record in the form
10 prescribed by the department.

11 (3) Any mobile home dealer who fails to comply with this section may be
12 required to forfeit not more than \$200.

13 **SECTION 1998LL.** 101.9211 of the statutes is created to read:

14 **101.9211 Involuntary transfers.** (1) If the interest of an owner in a mobile
15 home passes to another other than by voluntary transfer, the transferee shall, except
16 as provided in sub. (2), promptly mail or deliver to the department the last certificate
17 of title, if available, and the documents required by the department to legally effect
18 such transfer, and an application for a new certificate in the form that the
19 department prescribes.

20 (2) If the interest of the owner is terminated or the mobile home is sold under
21 a security agreement by a secured party named in the certificate of title, the
22 transferee shall promptly mail or deliver to the department the last certificate of
23 title, an application for a new certificate in the form that the department prescribes,
24 and a statement made by or on behalf of the secured party that the mobile home was

1 repossessed and that the interest of the owner was lawfully terminated or sold under
2 the terms of the security agreement.

3 **(3)** A person holding a certificate of title whose interest in the mobile home has
4 been extinguished or transferred other than by voluntary transfer shall mail or
5 deliver the certificate to the department upon request of the department. The
6 delivery of the certificate pursuant to the request of the department does not affect
7 the rights of the person surrendering the certificate, and the action of the department
8 in issuing a new certificate of title is not conclusive upon the rights of an owner or
9 secured party named in the old certificate.

10 **(4)** (a) In all cases of the transfer of a mobile home owned by a decedent, except
11 under par. (b), ward, trustee or bankrupt, the department shall accept as sufficient
12 evidence of the transfer of ownership all of the following:

13 1. Evidence satisfactory to the department of the issuance of the letters of
14 administration, letters testamentary, letters of guardianship, letters of trust or
15 appointment of the trustee in bankruptcy.

16 2. The title executed by such administrator, executor, guardian or trustee.

17 (b) 1. The department shall transfer the decedent's interest in any mobile home
18 to his or her surviving spouse upon receipt of the title executed by the surviving
19 spouse and a statement by the spouse which shall state all of the following:

20 a. The date of death of the decedent.

21 b. The approximate value and description of the mobile home.

22 c. That the spouse is personally liable for the decedent's debts and charges to
23 the extent of the value of the mobile home, subject to s. 859.25.

24 2. The transfer shall not affect any liens upon the mobile home.

1 3. Except as provided in subd. 4., this paragraph is limited to no more than 5
2 mobile homes titled in this state that are less than 20 years old at the time of the
3 transfer under this paragraph. There is no limit on transfer under this paragraph
4 of mobile homes titled in this state that are 20 or more years old at the time of transfer
5 under this paragraph.

6 4. The limit in subd. 3. does not apply if the surviving spouse is proceeding
7 under s. 867.03 (1g) and the total value of the decedent's solely owned property in the
8 state, including the mobile homes transferred under this paragraph, does not exceed
9 \$10,000.

10 (c) Upon compliance with this subsection, the department shall bear neither
11 liability nor responsibility for the transfer of such mobile homes in accordance with
12 this section.

13 (d) This subsection does not apply to transfer of interest in a mobile home under
14 s. 101.9209 (1) (b).

15 **SECTION 1998Lp.** 101.9212 of the statutes is created to read:

16 **101.9212 When department to issue a new certificate. (1)** The
17 department, upon receipt of a properly assigned certificate of title, with an
18 application for a new certificate of title, the required fee and any other transfer
19 documents required by law, to support the transfer, shall issue a new certificate of
20 title in the name of the transferee as owner.

21 **(2)** The department, upon receipt of an application for a new certificate of title
22 by a transferee other than by voluntary transfer, with proof of the transfer, the
23 required fee and any other documents required by law, shall issue a new certificate
24 of title in the name of the transferee as owner. If the transfer constituted a
25 termination of the owner's interest or a sale under a security agreement by a secured

1 party named in the certificate, under s. 101.9211 (2), the new certificate shall be
2 issued free of the names and addresses of the secured party who terminated the
3 owner's interest and of all secured parties subordinate under s. 101.9213 to such
4 secured party. If the outstanding certificate of title is not delivered to it, the
5 department shall make demand therefor from the holder of such certificate.

6 (3) The department shall retain for 5 years a record of every surrendered
7 certificate of title, the record to be maintained so as to permit the tracing of title of
8 the mobile home designated therein.

9 **SECTION 1998Lt.** 101.9213 of the statutes is created to read:

10 **101.9213 Perfection of security interests.** (1) Unless excepted by s.
11 101.9202, a security interest in a mobile home of a type for which a certificate of title
12 is required is not valid against creditors of the owner or subsequent transferees or
13 secured parties of the mobile home unless perfected as provided in ss. 101.9202 to
14 101.9218.

15 (2) Except as provided in sub. (3), a security interest is perfected by the delivery
16 to the department of the existing certificate of title, if any, an application for a
17 certificate of title containing the name and address of the secured party, and the
18 required fee. The security interest is perfected as of the time of its creation if such
19 delivery is completed within 10 days after the time that the security interest is
20 created, and without regard to the limitations expressed in s. 409.301 (2). If the
21 delivery is not completed within 10 days after the time that the security interest is
22 created, the security interest is perfected as of the time of such delivery.

23 (3) If a secured party whose name and address is contained on the certificate
24 of title for a mobile home acquires a new or additional security interest in the mobile

1 home, such security interest is perfected at the time of its attachment under s.
2 409.203.

3 (4) An unperfected security interest is subordinate to the rights of persons
4 described in s. 409.301.

5 (5) The rules of priority stated in s. 409.312, and the other sections therein
6 referred to, shall, to the extent appropriate, apply to conflicting security interests in
7 a mobile home of a type for which a certificate of title is required, or in a previously
8 certificated mobile home, as defined in s. 101.9222 (1). A security interest perfected
9 under this section or under s. 101.9222 (4) or (5) is a security interest perfected
10 otherwise than by filing for purposes of s. 409.312.

11 (6) The rules stated in ss. 409.501 to 409.507 governing the rights and duties
12 of secured parties and debtors and the requirements for, and effect of, disposition of
13 a mobile home by a secured party, upon default shall, to the extent appropriate,
14 govern the rights of secured parties and owners with respect to security interests in
15 mobile homes perfected under ss. 101.9202 to 101.9218.

16 (7) If a mobile home is subject to a security interest when brought into this
17 state, s. 409.103 (1), (2) and (3) states the rules which apply to determine the validity
18 and perfection of the security interest in this state.

19 (8) Upon request of a person who has perfected a security interest under this
20 section, as shown by the records of the department, in a mobile home titled in this
21 state, whenever the department receives information from another state that the
22 mobile home is being titled in the other state and the information does not show that
23 the security interest has been satisfied, the department shall notify the person. The
24 person shall pay the department a \$2 fee for each notification.

25 **SECTION 1998Lx.** 101.9214 of the statutes is created to read:

1 **101.9214 Duties on creation of security interest.** If an owner creates a
2 security interest in a mobile home, unless the name and address of the secured party
3 already is contained on the certificate of title for the mobile home:

4 **(1)** The owner shall immediately execute, in the space provided therefor on the
5 certificate of title or on a separate form or in an automated format prescribed by the
6 department, an application to name the secured party on the certificate, showing the
7 name and address of the secured party, and cause the certificate, application and the
8 required fee to be delivered to the secured party.

9 **(2)** The secured party shall immediately cause the certificate, the application
10 and the required fee to be mailed or delivered to the department.

11 **(3)** Upon receipt of the certificate of title, the application and the required fee,
12 the department shall issue to the owner a new certificate containing the name and
13 address of the new secured party. The department shall deliver to the new secured
14 party and to the register of deeds of the county of the owner's residence memoranda,
15 in such form as the department prescribes, evidencing the notation of the security
16 interest upon the certificate; and thereafter, upon any assignment, termination or
17 release of the security interest, additional memoranda evidencing such action.

18 **(4)** The register of deeds may record, and maintain a file of, all memoranda
19 received from the department under sub. (3). Such recording, however, is not
20 required for perfection, release or assignment of security interests, which shall be
21 effective upon compliance with ss. 101.9213 (2), 101.9215 and 101.9216 (1) and (2).

22 **SECTION 1998pc.** 101.9215 of the statutes is created to read:

23 **101.9215 Assignment of security interest. (1)** A secured party may assign,
24 absolutely or otherwise, the party's security interest in the mobile home to a person
25 other than the owner without affecting the interest of the owner or the validity of the

1 security interest, but any person without notice of the assignment is protected in
2 dealing with the secured party as the holder of the security interest and the secured
3 party remains liable for any obligations as a secured party until the assignee is
4 named as secured party on the certificate.

5 (2) The assignee may but need not, to perfect the assignment, have the
6 certificate of title endorsed or issued with the assignee named as secured party, upon
7 delivering to the department the certificate and an assignment by the secured party
8 named in the certificate in the form that the department prescribes.

9 **SECTION 1998pg.** 101.9216 of the statutes is created to read:

10 **101.9216 Release of security interest.** (1) Within one month or within 10
11 days following written demand by the debtor after there is no outstanding obligation
12 and no commitment to make advances, incur obligations or otherwise give value,
13 secured by the security interest in a mobile home under any security agreement
14 between the owner and the secured party, the secured party shall execute and deliver
15 to the owner, as the department prescribes, a release of the security interest in the
16 form and manner prescribed by the department and a notice to the owner stating in
17 no less than 10–point boldface type the owner’s obligation under sub. (2). If the
18 secured party fails to execute and deliver the release and notice of the owner’s
19 obligation as required by this subsection, the secured party is liable to the owner for
20 \$25 and for any loss caused to the owner by the failure.

21 (2) The owner, other than a mobile home dealer holding the mobile home for
22 resale, upon receipt of the release and notice of obligation shall promptly cause the
23 certificate and release to be mailed or delivered to the department, which shall
24 release the secured party’s rights on the certificate and issue a new certificate.

1 **(3)** The department may remove information pertaining to a security interest
2 perfected under s. 101.9213 from its records when 20 years after the original
3 perfection has elapsed unless the security interest is renewed in the same manner
4 as provided in s. 101.9213 (2) for perfection of a security interest.

5 **(4)** Removal of information pertaining to a security interest from the records
6 of the department under sub. (3) does not affect any security agreement between the
7 owner of a mobile home and the holder of security interest in the mobile home.

8 **SECTION 1998pL.** 101.9217 of the statutes is created to read:

9 **101.9217 Secured party's and owner's duties. (1)** A secured party named
10 in a certificate of title shall, upon written request of the owner or of another secured
11 party named on the certificate, disclose any pertinent information as to the party's
12 security agreement and the indebtedness secured by it.

13 **(2) (a)** An owner shall promptly deliver the owner's certificate of title to any
14 secured party who is named on it or who has a security interest in the mobile home
15 described in it under any other applicable prior law of this state, upon receipt of a
16 notice from such secured party that the security interest is to be assigned, extended
17 or perfected. Any owner who fails to deliver the certificate of title to a secured party
18 requesting it under this paragraph shall be liable to such secured party for any loss
19 caused to the secured party thereby and may be required to forfeit not more than
20 \$200.

21 **(b)** No secured party may take possession of any certificate of title except as
22 provided in par. (a). Any person who violates this paragraph may be required to
23 forfeit not more than \$1,000.

24 **(3)** Any secured party who fails to disclose information under sub. (1) shall be
25 liable for any loss caused to owner thereby.

1 **SECTION 1998pp.** 101.9218 of the statutes is created to read:

2 **101.9218 Method of perfecting exclusive.** The method provided in ss.
3 101.921 to 101.9218 of perfecting and giving notice of security interests subject to ss.
4 101.921 to 101.9218 is exclusive. Security interests subject to ss. 101.921 to 101.9218
5 are hereby exempted from the provisions of law which otherwise require or relate to
6 the filing of instruments creating or evidencing security interests.

7 **SECTION 1998pt.** 101.9219 of the statutes is created to read:

8 **101.9219 Withholding certificate of title; bond. (1)** The department may
9 not issue a certificate of title until the outstanding evidence of ownership is
10 surrendered to the department.

11 **(2)** If the department is not satisfied as to the ownership of the mobile home
12 or that there are no undisclosed security interests in it, the department, subject to
13 sub. (3), shall either:

14 (a) Withhold issuance of a certificate of title until the applicant presents
15 documents reasonably sufficient to satisfy the department as to the applicant's
16 ownership of the mobile home and that there are no undisclosed security interests
17 in it; or

18 (b) Issue a distinctive certificate of title pursuant to s. 101.9206 (3) or 101.9222
19 (3).

20 **(3)** Notwithstanding sub. (2), the department may issue a nondistinctive
21 certificate of title if the applicant fulfills either of the following requirements:

22 (a) The applicant is a mobile home dealer licensed under s. 101.951 and is
23 financially responsible as substantiated by the last financial statement on file with
24 the department, a finance company licensed under s. 138.09 or 218.01, a bank
25 organized under the laws of this state, or a national bank located in this state.

1 (b) The applicant has filed with the department a bond in the form prescribed
2 by the department and executed by the applicant, and either accompanied by the
3 deposit of cash with the department or also executed by a person authorized to
4 conduct a surety business in this state. The bond shall be in an amount equal to 1.5
5 times the value of the mobile home as determined by the department and conditioned
6 to indemnify any prior owner and secured party and any subsequent purchaser of the
7 mobile home or person acquiring any security interest in it, and their respective
8 successors in interest, against any expense, loss or damage, including reasonable
9 attorney fees, by reason of the issuance of the certificate of title of the mobile home
10 or on account of any defect in or undisclosed security interest upon the right, title and
11 interest of the applicant in and to the mobile home. Any such interested person has
12 a right of action to recover on the bond for any breach of its conditions, but the
13 aggregate liability of the surety to all persons shall not exceed the amount of the
14 bond. The bond, and any deposit accompanying it, shall be returned at the end of 5
15 years or prior thereto if, apart from this section, a nondistinctive certificate of title
16 could then be issued for the mobile home, or if the currently valid certificate of title
17 for the mobile home is surrendered to the department, unless the department has
18 been notified of the pendency of an action to recover on the bond.

19 **SECTION 1998px.** 101.922 of the statutes is created to read:

20 **101.922 Suspension or revocation of certificate. (1)** The department
21 shall suspend or revoke a certificate of title if it finds any of the following:

22 (a) That the certificate of title was fraudulently procured, erroneously issued
23 or prohibited by law.

24 (b) That the mobile home has been scrapped, dismantled or destroyed.

25 (c) That a transfer of title is set aside by a court of record by order or judgment.

1 **(2)** Suspension or revocation of a certificate of title does not, in itself, affect the
2 validity of a security interest noted on it.

3 **(3)** When the department suspends or revokes a certificate of title, the owner
4 or person in possession of it shall, immediately upon receiving notice of the
5 suspension or revocation, mail or deliver the certificate to the department.

6 **(4)** The department may seize and impound any certificate of title which has
7 been suspended or revoked.

8 **SECTION 1998tc.** 101.9221 of the statutes is created to read:

9 **101.9221 Grounds for refusing issuance of certificate of title.** The
10 department shall refuse issuance of a certificate of title if any required fee has not
11 been paid or for any of the following reasons:

12 **(1)** The department has reasonable grounds to believe that:

13 (a) The person alleged to be the owner of the mobile is not the owner.

14 (b) The application contains a false or fraudulent statement.

15 **(2)** The applicant has failed to furnish any of the following:

16 (a) If applicable, the power of attorney required under 15 USC 1988 or rules
17 of the department.

18 (b) Any other information or documents required by law or by the department
19 pursuant to authority of law.

20 **(3)** The applicant is a mobile home dealer and is prohibited from applying for
21 a certificate of title under s. 101.921 (1) (a) or (b).

22 **(4)** Except as provided in ss. 101.9203 (3) and 101.921 (1) (a) for a certificate
23 of title and registration for a mobile home owned by a nonresident, the applicant is
24 a nonresident and the issuance of a certificate of title has not otherwise been
25 authorized by rule of the department.

1 **SECTION 1998tg.** 101.9222 of the statutes is created to read:

2 **101.9222 Previously certificated mobile homes. (1)** In this section,
3 “previously certificated mobile home” means a mobile home for which a certificate
4 of title has been issued by the department of transportation prior to July 1, 2000.

5 **(2)** Sections 101.9213 to 101.9218 do not apply to a previously certificated
6 mobile home until one of the following occurs:

7 (a) There is a transfer of ownership of the mobile home.

8 (b) The department of commerce issues a certificate of title of the mobile home
9 under this chapter.

10 **(3)** If the department is not satisfied that there are no undisclosed security
11 interests, created before July 1, 2000, in a previously certificated mobile home, the
12 department shall, unless the applicant fulfills the requirements of s. 101.9219 (3),
13 issue a distinctive certificate of title of the mobile home containing the legend “This
14 mobile home may be subject to an undisclosed security interest” and any other
15 information that the department prescribes.

16 **(4)** After July 1, 2000, a security interest in a previously certificated vehicle
17 may be created and perfected only by compliance with ss. 101.9213 and 101.9218.

18 **(5)** (a) If a security interest in a previously certificated mobile home is perfected
19 under any other applicable law of this state on July 1, 2000, the security interest
20 continues perfected:

21 1. Until its perfection lapses under the law under which it was perfected, or
22 until its perfection would lapse in the absence of a further filing or renewal of filing,
23 whichever occurs sooner.

24 2. If, before the security interest lapses as described in subd. 1., there is
25 delivered to the department the existing certificate of title together with the

1 application and fee required by s. 101.9214 (1). In such case the department shall
2 issue a new certificate pursuant to s. 101.9214 (3).

3 (b) If a security interest in a previously certificated mobile home was created,
4 but was unperfected, under any other applicable law of this state on July 1, 2000, it
5 may be perfected under par. (a), but such perfection dates only from the date of the
6 department's receipt of the certificate.

7 **SECTION 1998tp.** 101.94 (8) (a) of the statutes is amended to read:

8 101.94 (8) (a) ~~A~~ Except as provided in par. (c), a person who violates this
9 subchapter or, a rule promulgated under this subchapter or an order issued under
10 this subchapter shall forfeit not more than \$1,000 for each violation. Each violation
11 of this subchapter constitutes a separate violation with respect to each
12 manufactured home or mobile home or with respect to each failure or refusal to allow
13 or perform an act required by this subchapter, except the maximum forfeiture under
14 this subsection may not exceed \$1,000,000 for a related series of violations occurring
15 within one year of the first violation.

16 **SECTION 1998tt.** 101.94 (8) (c) of the statutes is created to read:

17 101.94 (8) (c) A person who violates s. 101.935, a rule promulgated under s.
18 101.935 or an order issued under s. 101.935 may be required to forfeit not less than
19 \$10 nor more than \$250 for each violation. Each day of continued violation
20 constitutes a separate violation.

21 **SECTION 1998tx.** 101.951 of the statutes is created to read:

22 **101.951 Mobile home dealers regulated. (1)** No person may engage in the
23 business of selling mobile homes to a consumer or to the retail market in this state
24 unless first licensed to do so by the department as provided in this section.

1 **(2)** (a) Application for a license or a renewal license shall be made to the
2 department on forms prescribed and furnished by the department, accompanied by
3 the license fee required under par. (c) or (d).

4 (b) 1. The department shall, by rule, establish the license period under this
5 section.

6 2. The department may promulgate rules establishing a uniform expiration
7 date for all licenses issued under this section.

8 (c) Except as provided in par. (d), the fee for a license issued under this section
9 equals \$50 multiplied by the number of years in the license period. The fee shall be
10 prorated if the license period is not evenly divisible into years.

11 (d) If the department issues a license under this section during the license
12 period, the fee for the license shall equal \$50 multiplied by the number of calendar
13 years, including parts of calendar years, during which the license remains in effect.
14 A fee determined under this paragraph may not exceed the license fee for the entire
15 license period under par. (c).

16 **(3)** The department shall issue a license only to a person whose character,
17 fitness and financial ability, in the opinion of the department, are such as to justify
18 the belief that the person can and will deal with and serve the buying public fairly
19 and honestly, will maintain a permanent office and place of business in this state
20 during the license year and will abide by all of the provisions of law and lawful orders
21 of the department.

22 **(5)** A licensee shall conduct the licensed business continuously during the
23 license year.

24 **(6)** The department may deny, suspend or revoke a license on any of the
25 following grounds:

- 1 (a) Proof of unfitness.
- 2 (b) A material misstatement in the application for the license.
- 3 (c) Filing a materially false or fraudulent income or franchise tax return as
4 certified by the department of revenue.
- 5 (d) Wilful failure to comply with any provision of this section or any rule
6 promulgated by the department under this section.
- 7 (e) Wilfully defrauding any retail buyer to the buyer's damage.
- 8 (f) Wilful failure to perform any written agreement with any retail buyer.
- 9 (g) Failure or refusal to furnish and keep in force any bond required.
- 10 (h) Having made a fraudulent sale, transaction or repossession.
- 11 (i) Fraudulent misrepresentation, circumvention or concealment, through any
12 subterfuge or device, of any of the material particulars or the nature thereof required
13 hereunder to be stated or furnished to the retail buyer.
- 14 (j) Use of fraudulent devices, methods or practices in connection with
15 compliance with the statutes with respect to the retaking of goods under retail
16 instalment contracts and the redemption and resale of such goods.
- 17 (k) Having indulged in any unconscionable practice relating to said business.
- 18 (m) Having sold a retail instalment contract to a sales finance company, as
19 defined in s. 218.01 (1) (v), that is not licensed under s. 218.01.
- 20 (n) Having violated any law relating to the sale, distribution or financing of
21 mobile homes.
- 22 **(7)** (a) The department of commerce may, without notice, deny the application
23 for a license within 60 days after receipt thereof by written notice to the applicant,
24 stating the grounds for the denial. Within 30 days after such notice, the applicant
25 may petition the department of administration to conduct a hearing to review the

1 denial, and a hearing shall be scheduled with reasonable promptness. The division
2 of hearings and appeals shall conduct the hearing. This paragraph does not apply
3 to denials of applications for licenses under s. 101.02 (21).

4 (b) No license may be suspended or revoked except after a hearing thereon. The
5 department of commerce shall give the licensee at least 5 days' notice of the time and
6 place of the hearing. The order suspending or revoking such license shall not be
7 effective until after 10 days' written notice thereof to the licensee, after such hearing
8 has been had; except that the department of commerce, when in its opinion the best
9 interest of the public or the trade demands it, may suspend a license upon not less
10 than 24 hours' notice of hearing and with not less than 24 hours' notice of the
11 suspension of the license. Matters involving suspensions and revocations brought
12 before the department of commerce shall be heard and decided upon by the
13 department of administration. The division of hearings and appeals shall conduct
14 the hearing. This paragraph does not apply to licenses that are suspended or revoked
15 under s. 101.02 (21).

16 (c) The department of commerce may inspect the pertinent books, records,
17 letters and contracts of a licensee. The actual cost of each such examination shall
18 be paid by such licensee so examined within 30 days after demand therefor by the
19 department, and the department may maintain an action for the recovery of such
20 costs in any court of competent jurisdiction.

21 **(8)** Any person who violates any provision of this section shall be fined not less
22 than \$25 nor more than \$100 for each offense.

23 **SECTION 1998xc.** 101.952 of the statutes is created to read:

24 **101.952 Mobile home salespersons regulated. (1)** No person may engage
25 in the business of selling mobile homes to a consumer or to the retail market in this

1 state without a license therefor from the department. If a mobile home dealer acts
2 as a mobile home salesperson the dealer shall secure a mobile home salesperson's
3 license in addition to the license for engaging as a mobile home dealer.

4 (2) (a) Applications for a mobile home salesperson's license and renewals
5 thereof shall be made to the department on such forms as the department prescribes
6 and furnishes and shall be accompanied by the license fee required under par. (c) or
7 (d). The application shall include the applicant's social security number. In addition,
8 the application shall require such pertinent information as the department requires.

9 (b) 1. The department shall, by rule, establish the license period under this
10 section.

11 2. The department may promulgate rules establishing a uniform expiration
12 date for all licenses issued under this section.

13 (c) Except as provided in par. (d), the fee for a license issued under this section
14 equals \$4 multiplied by the number of years in the license period. The fee shall be
15 prorated if the license period is not evenly divisible into years.

16 (d) If the department issues a license under this section during the license
17 period, the fee for the license shall equal \$4 multiplied by the number of calendar
18 years, including parts of calendar years, during which the license remains in effect.
19 A fee determined under this paragraph may not exceed the license fee for the entire
20 license period under par. (c).

21 (3) Every licensee shall carry his or her license when engaged in his or her
22 business and display the same upon request. The license shall name his or her
23 employer, and, in case of a change of employer, the mobile home salesperson shall
24 immediately mail his or her license to the department, which shall endorse that
25 change on the license without charge.

1 **(5)** The provision of s. 218.01 (3) relating to the denial, suspension and
2 revocation of a motor vehicle salesperson's license shall apply to the denial,
3 suspension and revocation of a mobile home salesperson's license so far as applicable,
4 except that such provision does not apply to the denial, suspension or revocation of
5 a license under s. 101.02 (21) (b).

6 **(6)** The provisions of s. 218.01 (3) (g) and (5) shall apply to this section, mobile
7 home sales practices and the regulation of mobile home salespersons, as far as
8 applicable.

9 **SECTION 1998xg.** 101.953 of the statutes is created to read:

10 **101.953 Warranty and disclosure. (1)** A one-year written warranty is
11 required for every new mobile home sold, or leased to another, by a mobile home
12 manufacturer, mobile home dealer or mobile home salesperson in this state, and for
13 every new mobile home sold by any person who induces a resident of the state to enter
14 into the transaction by personal solicitation in this state or by mail or telephone
15 solicitation directed to the particular consumer in this state. The warranty shall
16 state all of the following:

17 (a) That the mobile home meets those standards prescribed by law or
18 administrative rule of the department of administration or of the department of
19 commerce, which are in effect at the time of the manufacture of the mobile home.

20 (b) That the mobile home is free from defects in material and workmanship and
21 is reasonably fit for human habitation if it receives reasonable care and maintenance
22 as defined by rule of the department.

23 (c) 1. That the mobile home manufacturer and mobile home dealer shall take
24 corrective action for defects which become evident within one year from the delivery
25 date and as to which the mobile home owner has given notice to the manufacturer

1 or dealer not later than one year and 10 days after the delivery date and at the
2 address set forth in the warranty; and that the mobile home manufacturer and
3 mobile home dealer shall make the appropriate adjustments and repairs, within 30
4 days after notification of the defect, at the site of the mobile home without charge to
5 the mobile home owner. If the mobile home dealer makes the adjustment, the mobile
6 home manufacturer shall fully reimburse the dealer.

7 2. If a repair, replacement, substitution or alteration is made under the
8 warranty and it is discovered, before or after expiration of the warranty period, that
9 the repair, replacement, substitution or alteration has not restored the mobile home
10 to the condition in which it was warranted except for reasonable wear and tear, such
11 failure shall be considered a violation of the warranty and the mobile home shall be
12 restored to the condition in which it was warranted to be at the time of the sale except
13 for reasonable wear and tear, at no cost to the purchaser or the purchaser's assignee
14 notwithstanding that the additional repair may occur after the expiration of the
15 warranty period.

16 (d) That if during any period of time after notification of a defect the mobile
17 home is uninhabitable, as defined by rule of the department, that period of time shall
18 not be considered part of the one-year warranty period.

19 (e) A list of all parts and equipment not covered by the warranty.

20 **(2)** Action by a lessee to enforce the lessee's rights under this subchapter shall
21 not be grounds for termination of the rental agreement.

22 **(3)** The warranty required under this section shall apply to the manufacturer
23 of the mobile home as well as to the mobile home dealer who sells or leases the mobile
24 home to the consumer, and shall be in addition to any other rights and privileges that
25 the consumer may have under any instrument or law. The waiver of any remedies

1 under any law and the waiver, exclusion, modification or limitation of any warranty,
2 express or implied, including the implied warranty of merchantability and fitness for
3 a particular purpose, is expressly prohibited. Any such waiver is void.

4 (4) The transfer of a mobile home from one mobile home owner to another
5 during the effective period of the warranty does not terminate the warranty, and
6 subsequent mobile home owners shall be entitled to the full protection of the
7 warranty for the duration of the warranty period as if the original mobile home owner
8 had not transferred the mobile home.

9 **SECTION 1998xL.** 101.954 of the statutes is created to read:

10 **101.954 Sale or lease of used mobile homes.** In the sale or lease of any used
11 mobile home, the sales invoice or lease agreement shall contain the point of
12 manufacture of the used mobile home, the name of the manufacturer and the name
13 and address of the previous mobile home owner.

14 **SECTION 1998xp.** 101.955 of the statutes is created to read:

15 **101.955 Jurisdiction and venue over out-of-state manufacturers. (1)**
16 The importation of a mobile home for sale in this state by an out-of-state
17 manufacturer is considered an irrevocable appointment by that manufacturer of the
18 department of financial institutions to be that manufacturer's true and lawful
19 attorney upon whom may be served all legal processes in any action or proceeding
20 against such manufacturer arising out of the importation of such mobile home into
21 this state.

22 (2) The department of financial institutions upon whom processes and notices
23 may be served under this section shall, upon being served with such process or notice,
24 mail a copy by registered mail to the out-of-state manufacturer at the nonresident
25 address given in the papers so served. The original shall be returned with proper

1 certificate of service attached for filing in court as proof of service. The service fee
2 shall be \$4 for each defendant so served. The department of financial institutions
3 shall keep a record of all such processes and notices, which record shall show the day
4 and hour of service.

5 **SECTION 1998xt.** 101.965 of the statutes is created to read:

6 **101.965 Penalties. (1)** Any person who violates ss. 101.953 to 101.955, or any
7 rule promulgated under ss. 101.953 to 101.955, may be fined not more than \$1,000
8 or imprisoned for not more than 6 months or both.

9 **(2)** In any court action brought by the department for violations of this
10 subchapter, the department may recover all costs of testing and investigation, in
11 addition to costs otherwise recoverable, if it prevails in the action.

12 **(3)** Nothing in this subchapter prohibits the bringing of a civil action against
13 a mobile home manufacturer, mobile home dealer or mobile home salesperson by an
14 aggrieved consumer. If judgment is rendered for the consumer based on an act or
15 omission by the mobile home manufacturer, mobile home dealer or mobile home
16 salesperson, which constituted a violation of this subchapter, the plaintiff shall
17 recover actual and proper attorney fees in addition to costs otherwise recoverable.

18 **SECTION 1999.** 102.01 (2) (d) of the statutes is amended to read:

19 102.01 **(2)** (d) “Municipality” includes a county, city, town, village, school
20 district, sewer district, drainage district and family care district and other public or
21 quasi-public corporations.

22 **SECTION 2000.** 102.04 (1) (a) of the statutes is amended to read:

23 102.04 **(1)** (a) The state, each county, city, town, village, school district, sewer
24 district, drainage district, family care district and other public or quasi-public
25 corporations therein.

1 **SECTION 2000m.** 102.17 (1) (cg) 1. of the statutes is amended to read:

2 102.17 (1) (cg) 1. The Except as provided in subd. 2m., the department shall
3 require each applicant for a license under par. (c) who is an individual to provide the
4 department with the applicant's social security number, and shall require each
5 applicant for a license under par. (c) who is not an individual to provide the
6 department with the applicant's federal employer identification number, when
7 initially applying for or applying to renew the license.

8 **SECTION 2000n.** 102.17 (1) (cg) 2. of the statutes is amended to read:

9 102.17 (1) (cg) 2. The If an applicant who is an individual fails to provide the
10 applicant's social security number to the department or if an applicant who is not an
11 individual fails to provide the applicant's federal employer identification number to
12 the department, the department may not issue or renew a license under par. (c) to
13 or for an the applicant who is an individual unless the applicant has provided the
14 applicant's is an individual who does not have a social security number to the
15 department and may not issue or renew a license under par. (c) to or for an applicant
16 who is not an individual unless the applicant has provided the applicant's federal
17 employer identification number to the department and the applicant submits a
18 statement made or subscribed under oath or affirmation as required under subd. 2m.

19 **SECTION 2000p.** 102.17 (1) (cg) 2m. of the statutes is created to read:

20 102.17 (1) (cg) 2m. If an applicant who is an individual does not have a social
21 security number, the applicant shall submit a statement made or subscribed under
22 oath or affirmation to the department that the applicant does not have a social
23 security number. The form of the statement shall be prescribed by the department.
24 A license issued in reliance upon a false statement submitted under this subdivision
25 is invalid.

1 **SECTION 2000q.** 102.26 (2m) of the statutes is repealed.

2 **SECTION 2002.** 102.27 (2) (a) of the statutes is amended to read:

3 102.27 **(2)** (a) A benefit under this chapter is assignable under s. 46.10 (14) (e),
4 301.12 (14) (e), 767.23 (1) (L), 767.25 (4m) (c), 767.265 (1) or (2m), 767.51 (3m) (c) or
5 767.62 (4) (b) 3.

6 **SECTION 2002c.** 102.27 (2) (a) of the statutes, as affected by 1999 Wisconsin Act
7 (this act), is amended to read:

8 102.27 **(2)** (a) A benefit under this chapter is assignable under s. 46.10 (14) (e),
9 301.12 (14) (e), 767.23 (1) (L), 767.25 (4m) (c), or 767.265 (1) or (2m), ~~767.51 (3m) (c)~~
10 ~~or 767.62 (4) (b) 3.~~

11 **SECTION 2003.** 102.29 (9) of the statutes is amended to read:

12 102.29 **(9)** No participant in a work experience component of a job opportunities
13 and basic skills program who, under s. 49.193 (6) (a), is 1997 stats., was considered
14 to be an employe of the agency administering that program, or who, under s. 49.193
15 (6) (a), is 1997 stats., was provided worker's compensation coverage by the person
16 administering the work experience component, and who makes a claim for
17 compensation under this chapter may make a claim or maintain an action in tort
18 against the employer who provided the work experience from which the claim arose.
19 This subsection does not apply to injuries occurring after February 28, 1998.

20 **SECTION 2003m.** 102.42 (6) of the statutes is amended to read:

21 102.42 **(6)** TREATMENT REJECTED BY EMPLOYEE. Unless the employe shall have
22 elected Christian Science treatment in lieu of medical, surgical, dental, or hospital
23 ~~or sanatorium~~ treatment, no compensation shall be payable for the death or
24 disability of an employe, if the death be caused, or insofar as the disability may be
25 aggravated, caused or continued by an unreasonable refusal or neglect to submit to

1 or follow any competent and reasonable medical, surgical or dental treatment or, in
2 the case of tuberculosis, by refusal or neglect to submit to or follow hospital or
3 ~~sanatorium~~ or medical treatment when found by the department to be necessary.
4 The right to compensation accruing during a period of refusal or neglect to submit
5 to or follow hospital ~~or sanatorium~~ or medical treatment when found by the
6 department to be necessary in the case of tuberculosis shall be barred, irrespective
7 of whether disability was aggravated, caused or continued thereby.

8 **SECTION 2005.** 103.001 (6) of the statutes is amended to read:

9 103.001 **(6)** “Employer” means any person, firm, corporation, state, county,
10 town, city, village, school district, sewer district, drainage district, family care
11 district and other public or quasi-public corporations as well as any agent, manager,
12 representative or other person having control or custody of any employment, place
13 of employment or of any employe.

14 **SECTION 2005c.** 103.275 (2) (bg) 1. of the statutes is amended to read:

15 103.275 **(2)** (bg) 1. The Except as provided in subd. 2m., the department shall
16 require each applicant for a house-to-house employer certificate under this
17 subsection who is an individual to provide the department with the applicant’s social
18 security number, and shall require each applicant for a house-to-house employer
19 certificate who is not an individual to provide the department with the applicant’s
20 federal employer identification number, when initially applying for or applying to
21 renew the house-to-house employer certificate.

22 **SECTION 2005d.** 103.275 (2) (bg) 2. of the statutes is amended to read:

23 103.275 **(2)** (bg) 2. The If an applicant who is an individual fails to provide the
24 applicant’s social security number to the department or if an applicant who is not an
25 individual fails to provide the applicant’s federal employer identification number to

1 ~~the department, the department may not issue or renew a house-to-house employer~~
2 ~~certificate under this subsection to or for an~~ the applicant who is an individual unless
3 ~~the applicant has provided the applicant's~~ is an individual who does not have a social
4 ~~security number to the department and may not issue or renew a house-to-house~~
5 ~~employer certificate under this subsection to or for an applicant who is not an~~
6 ~~individual unless the applicant has provided the applicant's federal employer~~
7 ~~identification number to the department~~ and the applicant submits a statement
8 made or subscribed under oath or affirmation as required under subd. 2m.

9 **SECTION 2005e.** 103.275 (2) (bg) 2m. of the statutes is created to read:

10 103.275 (2) (bg) 2m. If an applicant who is an individual does not have a social
11 security number, the applicant shall submit a statement made or subscribed under
12 oath or affirmation to the department that the applicant does not have a social
13 security number. The form of the statement shall be prescribed by the department.
14 A house-to-house employer certificate issued in reliance upon a false statement
15 submitted under this subdivision is invalid.

16 **SECTION 2005f.** 103.49 (5) (a) of the statutes is amended to read:

17 103.49 (5) (a) Each contractor, subcontractor or agent thereof performing work
18 on a project that is subject to this section shall keep full and accurate records clearly
19 indicating the name and trade or occupation of every person described in sub. (2m)
20 and an accurate record of the number of hours worked by each of those persons and
21 the actual wages paid therefor. If requested by any person, a contractor,
22 subcontractor or agent thereof performing work on a project that is subject to this
23 section shall permit that person to inspect and copy any of those records to the same
24 extent as the department would be required to permit inspection and copying of those

1 records under ss. 19.31 to 19.39 if those records were in the custody of the
2 department.

3 **SECTION 2005g.** 103.50 (7m) of the statutes is created to read:

4 103.50 (7m) RECORDS; INSPECTION. Each contractor, subcontractor or agent
5 thereof performing work on a project that is subject to this section shall keep full and
6 accurate records clearly indicating the name and trade or occupation of every person
7 described in sub. (2m) and an accurate record of the number of hours worked by each
8 of those persons and the actual wages paid therefor. If requested by any person, a
9 contractor, subcontractor or agent thereof performing work on a project that is
10 subject to this section shall permit that person to inspect and copy any of those
11 records to the same extent as the department of transportation would be required to
12 permit inspection and copying of those records under ss. 19.31 to 19.39 if those
13 records were in the custody of the department of transportation.

14 **SECTION 2005hd.** 103.91 (2) (b) 1. of the statutes is amended to read:

15 103.91 (2) (b) 1. The Except as provided in subd. 2m., the department shall
16 require each applicant for a certificate under par. (a) who is an individual to provide
17 the department with the applicant's social security number, and shall require each
18 applicant for a certificate under par. (a) who is not an individual to provide the
19 department with the applicant's federal employer identification number, when
20 initially applying for or applying to renew the certificate.

21 **SECTION 2005hf.** 103.91 (2) (b) 2. of the statutes is amended to read:

22 103.91 (2) (b) 2. The If an applicant who is an individual fails to provide the
23 applicant's social security number to the department or if an applicant who is not an
24 individual fails to provide the applicant's federal employer identification number to
25 the department, the department may not issue or renew a certificate under par. (a)

1 to or for ~~an~~ the applicant who is an individual unless the applicant has provided the
2 applicant's is an individual who does not have a social security number to the
3 ~~department and may not issue or renew a certificate under par. (a) to or for an~~
4 ~~applicant who is not an individual unless the applicant has provided the applicant's~~
5 ~~federal employer identification number to the department~~ and the applicant submits
6 a statement made or subscribed under oath or affirmation as required under subd.
7 2m.

8 **SECTION 2005hg.** 103.91 (2) (b) 2m. of the statutes is created to read:

9 103.91 **(2)** (b) 2m. If an applicant who is an individual does not have a social
10 security number, the applicant shall submit a statement made or subscribed under
11 oath or affirmation to the department that the applicant does not have a social
12 security number. The form of the statement shall be prescribed by the department.
13 A certificate issued under par. (a) in reliance upon a false statement submitted under
14 this subdivision is invalid.

15 **SECTION 2005hi.** 103.92 (1) (b) 1. of the statutes is amended to read:

16 103.92 **(1)** (b) 1. The Except as provided in subd. 2m., the department shall
17 require each applicant for a certificate under par. (a) who is an individual to provide
18 the department with the applicant's social security number, and shall require each
19 applicant for a certificate under par. (a) who is not an individual to provide the
20 department with the applicant's federal employer identification number, when
21 initially applying for or applying to renew the certificate.

22 **SECTION 2005hj.** 103.92 (1) (b) 2. of the statutes is amended to read:

23 103.92 **(1)** (b) 2. The If an applicant who is an individual fails to provide the
24 applicant's social security number to the department or if an applicant who is not an
25 individual fails to provide the applicant's federal employer identification number to

1 ~~the department, the department may not issue or renew a certificate under par. (a)~~
2 ~~to or for an the applicant who is an individual unless the applicant has provided the~~
3 ~~applicant's is an individual who does not have a social security number to the~~
4 ~~department and may not issue or renew a certificate under par. (a) to or for an~~
5 ~~applicant who is not an individual unless the applicant has provided the applicant's~~
6 ~~federal employer identification number to the department and the applicant submits~~
7 ~~a statement made or subscribed under oath or affirmation as required under subd.~~
8 ~~2m.~~

9 **SECTION 2005hk.** 103.92 (2) (b) 2m. of the statutes is created to read:

10 103.92 (2) (b) 2m. If an applicant who is an individual does not have a social
11 security number, the applicant shall submit a statement made or subscribed under
12 oath or affirmation to the department that the applicant does not have a social
13 security number. The form of the statement shall be prescribed by the department.
14 A certificate issued under par. (a) in reliance upon a false statement submitted under
15 this subdivision is invalid.

16 **SECTION 2005hm.** 104.07 (4) (a) of the statutes is amended to read:

17 104.07 (4) (a) ~~The Except as provided in par. (bm), the~~ department shall require
18 each applicant for a license under sub. (1) or (2) who is an individual to provide the
19 department with the applicant's social security number, and shall require each
20 applicant for a license under sub. (1) or (2) who is not an individual to provide the
21 department with the applicant's federal employer identification number, when
22 initially applying for or applying to renew the license.

23 **SECTION 2005hn.** 104.07 (4) (b) of the statutes is amended to read:

24 104.07 (4) (b) ~~The If an applicant who is an individual fails to provide the~~
25 ~~applicant's social security number to the department or if an applicant who is not an~~

1 individual fails to provide the applicant's federal employer identification number to
2 the department, the department may not issue or renew a license under sub. (1) or
3 (2) to or for an the applicant ~~who is an individual~~ unless the applicant has provided
4 ~~the applicant's~~ is an individual who does not have a social security number ~~to the~~
5 department and may not issue or renew a license under sub. (1) or (2) to or for an
6 applicant who is not an individual unless the applicant has provided the applicant's
7 federal employer identification number to the department and the applicant submits
8 a statement made or subscribed under oath or affirmation as required under par.
9 (bm).

10 **SECTION 2005hp.** 104.07 (4) (bm) of the statutes is created to read:

11 104.07 **(4)** (bm) If an applicant who is an individual does not have a social
12 security number, the applicant shall submit a statement made or subscribed under
13 oath or affirmation to the department that the applicant does not have a social
14 security number. The form of the statement shall be prescribed by the department.
15 A license issued under sub. (1) or (2) in reliance upon a false statement submitted
16 under this paragraph is invalid.

17 **SECTION 2005hs.** 105.06 (1m) (a) of the statutes is amended to read:

18 105.06 **(1m)** (a) The Except as provided in par. (bm), the department shall
19 require each applicant for a license under sub. (1) who is an individual to provide the
20 department with the applicant's social security number, and shall require each
21 applicant for a license under sub. (1) who is not an individual to provide the
22 department with the applicant's federal employer identification number, when
23 initially applying for or applying to renew the license.

24 **SECTION 2005ht.** 105.06 (1m) (b) of the statutes is amended to read:

1 105.06 (1m) (b) ~~The If an applicant who is an individual fails to provide the~~
2 ~~applicant's social security number to the department or if an applicant who is not an~~
3 ~~individual fails to provide the applicant's federal employer identification number to~~
4 ~~the department, the~~ department may not issue or renew a license under sub. (1) to
5 or for an ~~the~~ applicant who ~~is an individual unless the applicant has provided the~~
6 applicant's ~~is an individual who does not have a~~ social security number ~~to the~~
7 department and may not issue or renew a license under sub. (1) to or for an applicant
8 who is not an individual unless the applicant has provided the applicant's federal
9 employer identification number to the department and the applicant submits a
10 statement made or subscribed under oath or affirmation as required under par. (bm).

11 **SECTION 2005hu.** 105.06 (1m) (bm) of the statutes is created to read:

12 105.06 (1m) (bm) If an applicant who is an individual does not have a social
13 security number, the applicant shall submit a statement made or subscribed under
14 oath or affirmation to the department that the applicant does not have a social
15 security number. The form of the statement shall be prescribed by the department.
16 A license issued under sub. (1) in reliance upon a false statement submitted under
17 this paragraph is invalid.

18 **SECTION 2005k.** 106.11 (title) of the statutes is amended to read:

19 **106.11** (title) ~~Employment and training~~ **Workforce investment**
20 **programs.**

21 **SECTION 2005m.** 106.11 of the statutes, as affected by 1999 Wisconsin Act
22 (this act), sections 2005k, 2005p and 2005r, is amended to read:

23 **106.11 Workforce investment programs.** The department shall cooperate
24 with the federal government in carrying out the purposes of the federal Job Training
25 Partnership Act, 29 USC 1501 to 1781, and the federal Workforce Investment Act of

1 1998, 29 USC 2801 to 2945. In administering the programs authorized by ~~those acts~~
2 that act the department shall, in cooperation with other state agencies and with local
3 workforce development boards established under 29 USC 2832, establish a
4 statewide workforce investment system to meet the employment, training and
5 educational needs of persons in this state.

6 **SECTION 2005p.** 106.11 (1) of the statutes is amended to read:

7 106.11 (1) The department shall cooperate with the federal government in
8 carrying out the purposes of the federal ~~job training partnership act~~ Job Training
9 Partnership Act, 29 USC 1501 to 1781, and the federal Workforce Investment Act of
10 1998, 29 USC 2801 to 2945. In administering the programs authorized by ~~that act~~
11 those acts the department shall, in cooperation with other state agencies and with
12 ~~private industry councils~~ local workforce development boards established under 29
13 USC 2832, establish a statewide ~~coordinated employment and training delivery~~
14 workforce investment system to meet the employment, training and educational
15 needs of persons in this state.

16 **SECTION 2005r.** 106.11 (1) of the statutes, as affected by 1999 Wisconsin Act
17 (this act), section 2005p, is renumbered 106.11.

18 **SECTION 2005t.** 106.11 (2) of the statutes is repealed.

19 **SECTION 2005v.** 106.11 (3) of the statutes is repealed.

20 **SECTION 2005x.** 106.115 of the statutes is repealed.

21 **SECTION 2012.** 106.12 (title) of the statutes is amended to read:

22 **106.12** (title) ~~Division of connecting education and work~~ Governor's
23 work-based learning board.

24 **SECTION 2013.** 106.12 of the statutes is renumbered 106.12 (2) and amended
25 to read:

1 **106.12 (2)** EMPLOYMENT AND EDUCATION PROGRAM ADMINISTRATION. ~~Based on the~~
2 ~~recommendations of the governor's council on workforce excellence, the division of~~
3 ~~connecting education and work~~ The board shall plan, coordinate, administer and
4 implement the department's workforce excellence initiatives, programs, policies and
5 ~~funding~~, the youth apprenticeship and, school-to-work and work-based learning
6 programs under s. 106.13 (1) and such other employment and education programs
7 as the governor may by executive order assign to the ~~division~~ board.
8 Notwithstanding any limitations placed on the use of state employment and
9 education funds under this section or s. 106.13, ~~106.14, 106.15, 106.20 or 106.21~~ or
10 under an executive order assigning an employment and education program to the
11 ~~division~~ board, the secretary board may issue a general or special order waiving any
12 of those limitations on finding that the waiver will promote the coordination of
13 employment and education services.

14 **SECTION 2014.** 106.12 (1) of the statutes is created to read:

15 **106.12 (1)** DEFINITION. In this section and s. 106.13, "board" means the
16 governor's work-based learning board.

17 **SECTION 2015.** 106.12 (3) of the statutes is created to read:

18 **106.12 (3)** EXECUTIVE DIRECTOR. The governor shall appoint an executive
19 director of the board outside the classified service to serve at the pleasure of the
20 governor. The executive director shall be in charge of the board's administrative
21 functions.

22 **SECTION 2016.** 106.13 (title) of the statutes is amended to read:

23 **106.13** (title) **Youth apprenticeship and, school-to-work and**
24 **work-based learning programs.**

1 **SECTION 2017d.** 106.13 (1) of the statutes is renumbered 106.13 (1) (intro.) and
2 amended to read:

3 106.13 (1) (intro.) The department board shall provide a all of the following:

4 (a) A youth apprenticeship program and a that includes the grant programs
5 under subs. (3) and (4).

6 (b) A school-to-work program in accordance with 20 USC 6101 to 6251 that
7 includes the school-to-work program for children at risk under sub. (4m).

8 **SECTION 2017g.** 106.13 (1) (c) of the statutes is created to read:

9 106.13 (1) (c) A work-based learning program for youths who are eligible to
10 receive temporary assistance for needy families under 42 USC 601 to 619 that
11 includes a component that would permit a participant to earn a youth apprenticeship
12 skills certificate through participation in that program if the participant meets the
13 requirements for earning that certificate.

14 **SECTION 2017j.** 106.13 (1) (d) of the statutes is created to read:

15 106.13 (1) (d) A work-based learning program for students of a tribal college
16 as provided under sub. (4r).

17 **SECTION 2018.** 106.13 (2) of the statutes is amended to read:

18 106.13 (2) The ~~governor's council on workforce excellence~~ council on workforce
19 investment established under 29 USC 2821, the technical college system board and
20 the department of public instruction shall assist the ~~department of workforce~~
21 ~~development~~ board in providing the youth apprenticeship program and, the
22 school-to-work program and the work-based learning program under sub. (1).

23 **SECTION 2019d.** 106.13 (2m) of the statutes is amended to read:

24 106.13 (2m) After reviewing the recommendations of the ~~governor's council on~~
25 ~~workforce excellence under s. 106.115 (2) (e), the department~~ The board shall

1 approve occupations and maintain a list of approved occupations for the youth
2 apprenticeship program and shall approve statewide skill standards for the
3 school-to-work program. From the appropriation under s. 20.445 ~~(1) (ev)~~ (7) (a), the
4 ~~department~~ board shall develop curricula for youth apprenticeship programs for
5 occupations approved under this subsection.

6 **SECTION 2020.** 106.13 (3m) of the statutes is created to read:

7 106.13 **(3m)** (a) In this subsection, “local partnership” means one or more
8 school districts, or any combination of one or more school districts, other public
9 agencies, as defined in sub. (4) (a) 2., nonprofit organizations, as defined in sub. (4)
10 (a) 1., individuals or other persons, who have agreed to be responsible for
11 implementing and coordinating a local youth apprenticeship program.

12 (b) From the appropriation under s. 20.445 (7) (b), the board shall award grants
13 to applying local partnerships for the implementation and coordination of local youth
14 apprenticeship programs. A local partnership shall include in its grant application
15 the identity of each public agency, nonprofit organization, individual and other
16 person who is a participant in the local partnership, a plan to accomplish the
17 implementation and coordination activities specified in subds. 1. to 6. and the
18 identity of a fiscal agent who shall be responsible for receiving, managing and
19 accounting for the grant moneys received under this paragraph. A local partnership
20 that is awarded a grant under this paragraph may use the grant moneys awarded
21 for any of the following implementation and coordination activities:

22 1. Recruiting employers to provide on-the-job training and supervision for
23 youth apprentices and providing technical assistance to those employers.

24 2. Recruiting students to participate in the local youth apprenticeship program
25 and monitoring the progress of youth apprentices participating in the program.

1 3. Coordinating youth apprenticeship training activities within participating
2 school districts and among participating school districts, postsecondary institutions
3 and employers.

4 4. Coordinating academic, vocational and occupational learning, school-based
5 and work-based learning and secondary and postsecondary education for
6 participants in the local youth apprenticeship program.

7 5. Assisting employers in identifying and training workplace mentors and
8 matching youth apprentices and mentors.

9 6. Any other implementation or coordination activity that the board may direct
10 or permit the local partnership to perform.

11 **SECTION 2021.** 106.13 (4) (b) of the statutes is amended to read:

12 106.13 **(4)** (b) From the appropriation under s. 20.445 ~~(1)~~ (7) (em), the
13 ~~department~~ board may award a grant to a public agency or a nonprofit organization,
14 or to an employer that is responsible for the on-the-job training and supervision of
15 a youth apprentice. A public agency or non-profit organization that receives a grant
16 under this subsection shall use the funds awarded under the grant to award training
17 grants to employers that provide on-the-job training and supervision for youth
18 apprentices. Subject to par. (c), a training grant provided under this subsection may
19 be awarded to an employer for each youth apprentice who receives at least 180 hours
20 of paid on-the-job training from the employer during a school year, as defined in s.
21 115.001 (13). The amount of a training grant may not exceed \$500 per youth
22 apprentice per school year. A training grant may not be awarded for any specific
23 youth apprentice for more than 2 school years.

24 **SECTION 2022.** 106.13 (4) (c) of the statutes is amended to read:

1 106.13 (4) (c) Notwithstanding par. (b), the department board may award a
2 training grant under this subsection to an employer that provides less than 180
3 hours of paid on-the-job training for a youth apprentice during a school year, as
4 defined in s. 115.001 (13), if the department board determines that it would be
5 beneficial for the youth apprentice to receive on-the-job training from more than one
6 employer.

7 **SECTION 2023m.** 106.13 (4r) of the statutes is created to read:

8 106.13 (4r) From the appropriation under s. 20.445 (7) (kd), the board may
9 award a grant to an applying tribal college that is recognized as a land grant college
10 under 7 USC 301, as amended to October 20, 1994, for the provision of work-based
11 learning programs for students of the tribal college if the board approves the
12 application of the tribal college.

13 **SECTION 2024.** 106.13 (5) of the statutes is amended to read:

14 106.13 (5) The department board shall promulgate rules to administer this
15 section.

16 **SECTION 2024t.** 106.14 (title) of the statutes is amended to read:

17 **106.14 (title) Career Job centers and career counseling centers.**

18 **SECTION 2025d.** 106.14 (1) of the statutes, as affected by 1997 Wisconsin Act
19 27, section 2679, is amended to read:

20 106.14 (1) The department ~~may award grants to nonprofit corporations and~~
21 ~~public agencies for the provision of~~ shall provide a job center network throughout the
22 state through which job seekers may receive comprehensive career planning, job
23 placement and job training information. As part of the job center network, the
24 department shall provide career counseling centers ~~throughout the state at which~~
25 youths may receive the services specified in sub. (2).

1 **SECTION 2026d.** 106.14 (3) of the statutes is repealed.

2 **SECTION 2027b.** 106.14 (4) of the statutes is repealed.

3 **SECTION 2027d.** 106.15 (1) (a) of the statutes is amended to read:

4 106.15 (1) (a) “Council” means the ~~governor’s council on workforce excellence~~
5 ~~established under 29 USC 1792~~ council on workforce investment established under
6 29 USC 2821.

7 **SECTION 2027f.** 106.15 (1) (b) of the statutes is amended to read:

8 106.15 (1) (b) “Dislocated worker” has the meaning ~~established by the~~
9 ~~department by rule in substantial conformance with 29 USC 1652 (a)~~ given in 29
10 USC 2801 (9).

11 **SECTION 2027h.** 106.15 (1) (c) of the statutes is amended to read:

12 106.15 (1) (c) “Dislocated worker committee” means the committee or other
13 subunit of the council that ~~deals with the dislocated workers program under 29 USC~~
14 ~~1651 to 1662b~~ assists the governor in providing employment and training activities
15 to dislocated workers under 29 USC 2862 to 2864.

16 **SECTION 2027j.** 106.15 (1) (d) of the statutes is amended to read:

17 106.15 (1) (d) “Substate Local plan” means a substate local plan required under
18 ~~29 USC 1661b (a)~~ 29 USC 2833 as a condition for a grant.

19 **SECTION 2027m.** 106.15 (3) (intro.) of the statutes is amended to read:

20 106.15 (3) GRANTS. (intro.) From the appropriation under s. 20.445 (1) (bc),
21 (jm), (mb) and (mc), the department shall make grants to persons providing
22 employment and training activities to dislocated workers programs offering training
23 ~~and related employment services~~ including but not limited to the following:

24 **SECTION 2027p.** 106.15 (4) of the statutes is amended to read:

1 106.15 (4) GRANT APPROVAL. ~~No grant may be awarded~~ The department may
2 award a grant under this section ~~unless~~ only if both of the following occur:

3 (a) The dislocated workers committee approves the ~~substate~~ local plan or
4 application for funding and refers its decision to the secretary.

5 (b) After receiving a referral under par. (a), the secretary approves the ~~substate~~
6 local plan or application for funding.

7 **SECTION 2027r.** 106.15 (5) (intro.) of the statutes is amended to read:

8 106.15 (5) ~~SUBSTATE~~ LOCAL PLAN OR APPLICATION REVIEW. (intro.) In reviewing
9 ~~substate~~ local plans and applications for funding under this section, the dislocated
10 workers committee and the secretary shall consider all of the following:

11 **SECTION 2027t.** 106.15 (6) of the statutes is amended to read:

12 106.15 (6) RULE MAKING. The department shall ~~adopt~~ promulgate rules to
13 administer this section. The rules shall address eligible applicants and program
14 providers, application requirements, criteria and procedures for awarding grants,
15 reporting and auditing procedures and administrative operations.

16 **SECTION 2027v.** 106.15 (7) of the statutes is amended to read:

17 106.15 (7) FUNDING. From the amounts appropriated under s. 20.445 (1) (ma),
18 (mb) and (mc), all moneys received under ~~29 USC 1651 to 1661e~~ 29 USC 2862 to 2864
19 shall be expended to fund grants and operations under this section.

20 **SECTION 2027x.** 106.16 (2) of the statutes is amended to read:

21 106.16 (2) Any company that receives a loan or grant from a state agency or
22 an authority under ch. 231 or 234 shall notify the department and the ~~area private~~
23 ~~industry council under the job training partnership act, 29 USC 1501 to 1798~~ local
24 workforce development board established under 29 USC 2832, of any position in the
25 company that is related to the project for which the grant or loan is received to be

1 filled in this state within one year after receipt of the loan or grant. The company
2 shall provide this notice at least 2 weeks prior to advertising the position.

3 **SECTION 2028.** 106.18 of the statutes is repealed.

4 **SECTION 2029c.** 106.215 (10) (g) 1. of the statutes is amended to read:

5 106.215 (10) (g) 1. A person who is employed as a corps enrollee for a 6-month
6 to one-year period of continuous employment, as determined by standards adopted
7 by the board, and who receives a satisfactory employment evaluation upon
8 termination of employment is entitled to an incentive payment of \$500 prorated in
9 the same proportion as the number of hours of employment completed by that person
10 bears to 2,080 hours ~~or an education voucher that is worth at least double the~~
11 ~~monetary value of the prorated incentive payment, but not more than \$2,600~~
12 ~~prorated in the same proportion as the number of hours of employment completed~~
13 ~~by that person bears to 2,080 hours. No corps enrollee may receive more than 2~~
14 ~~incentive payments or 4 education vouchers.~~

15 **SECTION 2029g.** 106.215 (10) (g) 1m. of the statutes is created to read:

16 106.215 (10) (g) 1m. In lieu of the incentive payment under subd. 1., a person
17 who is employed as a corps enrollee for at least a 6-month period of continuous
18 employment, as determined by standards adopted by the board, and who receives a
19 satisfactory employment evaluation is entitled to an education voucher that is worth
20 at least double the monetary value of the prorated incentive payment under subd.
21 1., but not more than \$2,800 prorated in the same proportion as the number of hours
22 of employment completed by that person bears to 2,080 hours.

23 **SECTION 2029n.** 106.215 (10) (g) 2. of the statutes is amended to read:

24 106.215 (10) (g) 2. The board may authorize a partial incentive payment ~~or~~
25 ~~education voucher~~ to a person who is employed as a corps enrollee and who receives

1 a satisfactory employment evaluation upon termination of employment if the person
2 is employed as a corps enrollee for less than a one-year period of continuous
3 employment and the board determines that employment was terminated because of
4 special circumstances beyond the control of the corps enrollee or if the person is
5 employed as a corps enrollee for at least 10 months but less than a one-year period
6 of continuous employment and the board determines that employment was
7 terminated in order to enable the person to attend an institution of higher education,
8 technical college or other training program or to enable the person to obtain other
9 employment.

10 **SECTION 2029r.** 106.215 (10) (g) 2m. of the statutes is created to read:

11 106.215 **(10)** (g) 2m. In lieu of a partial incentive payment under subd. 2, the
12 board may authorize a partial education voucher to a person who is employed as a
13 corps enrollee and who receives a satisfactory employment evaluation upon
14 termination of employment if the person is employed as a corps enrollee for less than
15 a 6-month period of continuous employment and the board determines that
16 employment was terminated because of special circumstances beyond the control of
17 the corps enrollee.

18 **SECTION 2029w.** 106.215 (10) (g) 4. of the statutes is created to read:

19 106.215 **(10)** (g) 4. No corps enrollee may receive more than 2 incentive
20 payments or 4 education vouchers under this paragraph.

21 **SECTION 2029x.** 108.04 (16) (c) of the statutes is amended to read:

22 108.04 **(16)** (c) Benefits may not be denied to an otherwise eligible individual
23 under par. (a) who is enrolled in a program under the plan of any state for training
24 for dislocated workers under ~~29 USC 1661~~ 29 USC 2822, notwithstanding the failure
25 of such training to meet any of the requirements of par. (a) 1. to 4.

1 **SECTION 2029y.** 108.07 (8) (b) of the statutes is amended to read:

2 108.07 **(8)** (b) If a claimant is a prisoner of a state prison, as defined in s. 302.01,
3 and has employment with an employer other than the department of corrections or
4 ~~a private business leasing space within a state prison under s. 303.01 (2) (em)~~, and
5 the claimant's employment terminates because conditions of incarceration or
6 supervision make it impossible to continue the employment, the department shall
7 charge to the fund's balancing account any benefits based on the terminated
8 employment that are otherwise chargeable to the account of an employer that is
9 subject to the contribution requirements under ss. 108.17 and 108.18.

10 **SECTION 2030m.** 109.09 (1) of the statutes is amended to read:

11 109.09 **(1)** The department shall investigate and attempt equitably to adjust
12 controversies between employers and employes as to alleged wage claims. The
13 department may receive and investigate any wage claim which is filed with the
14 department, or received by the department under s. 109.10 (4), no later than 2 years
15 after the date the wages are due. The department may, after receiving a wage claim,
16 investigate any wages due from the employer against whom the claim is filed to any
17 employe during the period commencing 2 years before the date the claim is filed. The
18 department shall enforce this chapter and ss. 20.924 (1) (j) 3., 66.293, 103.02, 103.49,
19 103.82 and 104.12. In pursuance of this duty, the department may sue the employer
20 on behalf of the employe to collect any wage claim or wage deficiency and ss. 109.03
21 (6) and 109.11 (2) and (3) shall apply to such actions. Except for actions under s.
22 109.10, the department may refer such an action to the district attorney of the county
23 in which the violation occurs for prosecution and collection and the district attorney
24 shall commence an action in the circuit court having appropriate jurisdiction. Any
25 number of wage claims or wage deficiencies against the same employer may be joined

1 in a single proceeding, but the court may order separate trials or hearings. In actions
2 that are referred to a district attorney under this subsection, any taxable costs
3 recovered by the district attorney shall be paid into the general fund of the county
4 in which the violation occurs and used by that county to meet its financial
5 responsibility under s. 978.13 (2) for the operation of the office of the district attorney
6 who prosecuted the action.

7 **SECTION 2030t.** 109.09 (2) (c) of the statutes is amended to read:

8 109.09 (2) (c) A lien under par. (a) takes precedence over all other debts,
9 judgments, decrees, liens or mortgages against the employer that originate after the
10 lien takes effect as provided in par. (b) 1. or 2., except a lien of a financial institution,
11 as defined in s. 69.30 (1) (b), that originates before the lien under par. (a) takes effect
12 or a lien under s. 292.31 (8) (i) or 292.81, and. A lien under par. (a) may be enforced
13 in the manner provided in ss. 779.09 to 779.12, 779.20 and 779.21, insofar as those
14 provisions are applicable. The lien ceases to exist if the department of workforce
15 development or the employe does not bring an action to enforce the lien within the
16 period prescribed in s. 893.44 for the underlying wage claim.

17 **SECTION 2031.** 110.07 (1) (a) (intro.) of the statutes is amended to read:

18 110.07 (1) (a) (intro.) The secretary shall employ not to exceed 385 more than
19 399 traffic officers. ~~Such~~ The state traffic patrol consists of the traffic officers, ~~in~~
20 ~~addition to~~ the person designated to head them whose position shall be in the
21 ~~classified service, shall constitute the~~ and, if certified under s. 165.85 (4) (b) 1. as
22 qualified to be a law enforcement officer, the division administrator who is counted
23 under s. 230.08 (2) (e) 12. and whose duties include supervising the state traffic
24 patrol. The division administrator may not be counted under this paragraph.
25 Members of the state traffic patrol, and shall:

1 **SECTION 2032.** 110.07 (6) of the statutes is created to read:

2 110.07 **(6)** The division administrator who is counted under s. 230.08 (2) (e) 12.
3 and whose duties include supervising the state traffic patrol shall be designated
4 superintendent of the state traffic patrol, if he or she is certified under s. 165.85 (4)
5 (b) 1. as qualified to be a law enforcement officer.

6 **SECTION 2033m.** 111.322 (2m) (c) of the statutes is amended to read:

7 111.322 **(2m)** (c) The individual files a complaint or attempts to enforce a right
8 under s. 20.924 (1) (j) 3., 66.293 or 103.49 or testifies or assists in any action or
9 proceeding under s. 20.924 (1) (j) 3., 66.293 or 103.49.

10 **SECTION 2033p.** 111.35 (2) (d) of the statutes is amended to read:

11 111.35 **(2)** (d) Constitutes a violation of s. ~~938.983~~ 254.92 (2).

12 **SECTION 2033r.** 111.70 (1) (dm) of the statutes is amended to read:

13 111.70 **(1)** (dm) “Economic issue” means ~~any issue that creates a new or~~
14 ~~increased financial liability upon the municipal employer, including~~ salaries,
15 overtime pay, sick leave, payments in lieu of sick leave usage, vacations, clothing
16 allowances in excess of the actual cost of clothing, length-of-service credit,
17 continuing education credit, shift premium pay, longevity pay, extra duty pay,
18 performance bonuses, health insurance, life insurance, dental insurance, disability
19 insurance, vision insurance, long-term care insurance, worker’s compensation and
20 unemployment insurance, social security benefits, vacation pay, holiday pay, lead
21 worker pay, temporary assignment pay, retirement contributions, supplemental
22 retirement benefits, severance or other separation pay, hazardous duty pay,
23 certification or license payment, ~~job-security provisions,~~ limitations on layoffs that
24 create a new or increased financial liability on the employer and contracting or

1 subcontracting of work that would otherwise be performed by municipal employes
2 in the collective bargaining unit with which there is a labor dispute.

3 **SECTION 2034.** 111.70 (1) (j) of the statutes is amended to read:

4 111.70 (1) (j) “Municipal employer” means any city, county, village, town,
5 metropolitan sewerage district, school district, family care district or any other
6 political subdivision of the state which that engages the services of an employe and
7 includes any person acting on behalf of a municipal employer within the scope of the
8 person’s authority, express or implied.

9 **SECTION 2035m.** 111.70 (1) (nc) 1. c. of the statutes is amended to read:

10 111.70 (1) (nc) 1. c. A proposal to provide for an average salary increase for each
11 12-month period covered by the proposed collective bargaining agreement,
12 beginning with the expiration date of any previous collective bargaining agreement,
13 for the municipal employes in the collective bargaining unit at least equivalent to an
14 average cost of 2.1% of the total compensation and fringe benefit costs for all
15 municipal employes in the collective bargaining unit for each 12-month period
16 covered by the proposed collective bargaining agreement plus any fringe benefit
17 savings, beginning with the expiration date of any previous collective bargaining
18 agreement, including that percentage required to provide for any step increase and
19 ~~any increase due to a promotion or the attainment of increased professional~~
20 ~~qualifications~~, as determined under sub. (4) (cm) 8s., unless the increased cost of
21 providing such a salary increase, as determined under sub. (4) (cm) 8s., exceeds 2.1%
22 of the total compensation and fringe benefit costs for all municipal employes in the
23 collective bargaining unit for any 12-month period covered by the proposed collective
24 bargaining agreement plus any fringe benefit savings, or unless the increased cost
25 required to maintain the percentage contribution by the municipal employer to the

1 municipal employees' existing fringe benefit costs and to maintain all fringe benefits
2 provided to the municipal employees, as determined under sub. (4) (cm) 8s., in
3 addition to the increased cost of providing such a salary increase, exceeds 3.8% of the
4 total compensation and fringe benefit costs for all municipal employees in the
5 collective bargaining unit for any 12-month period covered by the collective
6 bargaining agreement, in which case the offer shall include provision for a salary
7 increase for each such period for the municipal employees covered by the agreement
8 at least equivalent to an average of that percentage, if any, for each such period of
9 the prorated portion of 2.1% of the total compensation and fringe benefit costs for all
10 municipal employees in the collective bargaining unit plus any fringe benefit savings
11 that remains, if any, after the increased cost of such maintenance exceeding 1.7% of
12 the total compensation and fringe benefit costs for all municipal employees in the
13 collective bargaining unit for each 12-month period and the cost of a salary increase
14 of at least one full step for each municipal employe in the collective bargaining unit
15 who is eligible for a within range salary increase for each 12-month period is
16 subtracted from that total cost.

17 **SECTION 2036m.** 111.70 (4) (cm) 5s. of the statutes is amended to read:

18 111.70 (4) (cm) 5s. 'Issues subject to arbitration.' In a collective bargaining unit
19 consisting of school district professional employes, the municipal employer or the
20 labor organization may petition the commission to determine whether the municipal
21 employer has submitted a qualified economic offer. The commission shall appoint an
22 investigator for that purpose. If the investigator finds that the municipal employer
23 has submitted a qualified economic offer, the investigator shall determine whether
24 a deadlock exists between the parties with respect to all economic issues. If the
25 municipal employer submits a qualified economic offer applicable to any period

1 beginning on or after July 1, 1993, no economic issues are subject to interest
2 arbitration under subd. 6. for that period, except that only the impact of contracting
3 out or subcontracting work that would otherwise be performed by municipal
4 employees in the collective bargaining unit is subject to interest arbitration under
5 subd. 6. In such a collective bargaining unit, economic issues concerning the wages,
6 hours or conditions of employment of the school district professional employees in the
7 unit for any period prior to July 1, 1993, are subject to interest arbitration under
8 subd. 6. for that period. In such a collective bargaining unit, noneconomic issues
9 applicable to any period on or after July 1, 1993, are subject to interest arbitration
10 after the parties have reached agreement and stipulate to agreement on all economic
11 issues concerning the wages, hours or conditions of employment of the school district
12 professional employees in the unit for that period. In such a collective bargaining
13 unit, if the commission's investigator finds that the municipal employer has
14 submitted a qualified economic offer and that a deadlock exists between the parties
15 with respect to all economic issues, the municipal employer may implement the
16 qualified economic offer. On the 90th day prior to expiration of the period included
17 within the qualified economic offer, if no agreement exists on that day, the parties are
18 deemed to have stipulated to the inclusion in a new or revised collective bargaining
19 agreement of all provisions of any predecessor collective bargaining agreement
20 concerning economic issues, or of all provisions of any existing collective bargaining
21 agreement concerning economic issues if the parties have reopened negotiations
22 under an existing agreement, as modified by the terms of the qualified economic offer
23 and as otherwise modified by the parties. In such a collective bargaining unit, on and
24 after that 90th day, a municipal employer that refuses to bargain collectively with
25 respect to the terms of that stipulation, applicable to the 90-day period prior to

1 expiration of the period included within the qualified economic offer, does not violate
2 sub. (3) (a) 4. Any such unilateral implementation after August 11, 1993, during the
3 90-day period prior to expiration of the period included within a qualified economic
4 offer, operates as a full, final and complete settlement of all economic issues between
5 the parties for the period included within the qualified economic offer. The failure
6 of a labor organization to recognize the validity of such a lawful qualified economic
7 offer does not affect the obligation of the municipal employer to submit economic
8 issues to arbitration under subd. 6.

9 **SECTION 2037c.** 111.91 (2) (r) of the statutes is created to read:

10 111.91 **(2)** (r) The requirements under s. 609.10 related to offering a
11 point-of-service option plan.

12 **SECTION 2039.** 114.20 (11) of the statutes is amended to read:

13 114.20 **(11)** ISSUANCE OF CERTIFICATE OF REGISTRATION; DISPLAY OF CERTIFICATE;
14 REFUNDS. Upon payment of a registration fee or transfer of registration fee, the
15 department shall issue evidence of registration which shall be displayed at all times
16 in the manner prescribed by the department. A refund may be made for aircraft
17 registration fees paid in error as determined by the department. ~~Refunds under this~~
18 ~~section shall be paid out of the appropriation under s. 20.395 (4) (aq).~~

19 **SECTION 2039g.** 114.31 (3) of the statutes is renumbered 114.31 (3) (a).

20 **SECTION 2039h.** 114.31 (3) (b) of the statutes is created to read:

21 114.31 **(3)** (b) From the appropriation under s. 20.395 (2) (ds), the department
22 shall administer an aviation career education program to provide training and
23 apprenticeship opportunities associated with aviation careers for socially and
24 economically disadvantaged youth.

25 **SECTION 2040.** 115.28 (24) of the statutes is amended to read:

1 **115.28 (24)** PRIORITY IN AWARDING GRANTS. Give priority in awarding grants to
2 local community organizations under sub. (21) and to school boards under ss. 115.36
3 and ~~115.362~~ 115.361, and in awarding grants from federal funds received under 20
4 USC 2301 to 2471, 20 USC 4601 to 4665 and 29 USC 1602 (b) (1), to programs that
5 provide more than one of the educational services specified under sub. (21), s. 115.36,
6 ~~115.362~~ 115.361, 115.915, 118.01 (2) (d) 7. or 8. or 118.153 or 20 USC 2301 to 2471,
7 20 USC 4601 to 4665 or 29 USC 1602 (b) (1).

8 **SECTION 2040d.** 115.28 (24) of the statutes, as affected by 1999 Wisconsin Act
9 (this act), is amended to read:

10 **115.28 (24)** PRIORITY IN AWARDING GRANTS. Give priority in awarding grants to
11 local community organizations under sub. (21) and to school boards under ss. 115.36
12 and 115.361, and in awarding grants from federal funds received under 20 USC 2301
13 to 2471, 20 USC 4601 to 4665 and ~~29 USC 1602 (b) (1)~~ 29 USC 2862 (b) (1) (B), to
14 programs that provide more than one of the educational services specified under sub.
15 (21), s. 115.36, 115.361, 115.915, 118.01 (2) (d) 7. or 8. or 118.153 or 20 USC 2301 to
16 2471, 20 USC 4601 to 4665 or ~~29 USC 1602 (b) (1)~~ 29 USC 2862 (b) (1) (B).

17 **SECTION 2041.** 115.28 (25) of the statutes is created to read:

18 **115.28 (25)** SCHOOL TECHNOLOGY RESOURCE GRANTS. Consult with the technology
19 for educational achievement in Wisconsin board before awarding school technology
20 resource grants under 20 USC 6842.

21 **SECTION 2041m.** 115.28 (26) of the statutes is created to read:

22 **115.28 (26)** PERIODICAL AND REFERENCE INFORMATION DATA BASES. Contract with
23 one or more persons to provide statewide access, through the Internet, to periodical
24 and reference information data bases.

25 **SECTION 2042.** 115.28 (39) of the statutes is amended to read:

1 115.28 **(39)** ALCOHOL AND OTHER DRUG ABUSE REPORT. By July 1, 1998, and
2 biennially by July 1 thereafter, evaluate the effectiveness of the programs under ss.
3 115.36, and 115.361 ~~and 115.362~~ and submit a report to the legislature under s.
4 13.172 (2). To satisfy this reporting requirement as it pertains to s. 115.361, the
5 department may incorporate into the report under this subsection the report
6 required under s. 115.361 ~~(7)~~ ~~(c)~~ (2).

7 **SECTION 2042e.** 115.28 (42) of the statutes is created to read:

8 115.28 (42) FOREIGN LANGUAGE INSTRUCTION GRANTS. Beginning in the 2000–01
9 fiscal year, award at least one grant in each fiscal year, on a competitive basis, to a
10 school board or board of control of a cooperative educational service agency for the
11 development and implementation of a foreign language instruction program in a
12 public school in grades kindergarten to 6. The department shall award the grants
13 from the appropriation under s. 20.255 (2) (fL). The department shall promulgate
14 rules to implement and administer this subsection.

15 **SECTION 2042g.** 115.28 (43) of the statutes is created to read:

16 115.28 **(43)** SCHOOL SAFETY FUNDING. With the department of justice, seek and
17 apply for federal funds relating to school safety and reducing violence and disruption
18 in schools, including funds for alternative schools or programs. Each department
19 shall make a report by January 1, 2001, and January 1, 2003, of its progress in
20 applying for and obtaining funds under this subsection. The report shall be provided
21 to the legislature in the manner provided under s. 13.172 (2) to the cochairpersons
22 of the joint committee on finance and to the governor.

23 **SECTION 2042m.** 115.28 (44) of the statutes is created to read:

24 115.28 **(44)** DIRECT INSTRUCTION PROGRAM. From the appropriation under s.
25 20.255 (1) (me), award a grant of \$280,000 annually in the 1999–2000, 2000–01,

1 2001–02 and 2002–03 fiscal years to the University of Wisconsin–Milwaukee to
2 conduct a direct instruction pilot program. The purpose of the program shall be to
3 determine the efficiency of direct instruction in improving the ability of children to
4 read. By August 1 of 2000, 2001, 2002 and 2003, the University of
5 Wisconsin–Milwaukee shall submit a report to the appropriate standing committees
6 of the legislature under s. 13.172, and to the state superintendent, that describes the
7 findings and conclusions of the study.

8 **SECTION 2042n.** 115.31 (1) (b) of the statutes is amended to read:

9 115.31 (1) (b) “Educational agency” means a school district, cooperative
10 educational service agency, state correctional institution under s. 302.01, secured
11 correctional facility, as defined in s. 938.02 (15m), secured child caring institution,
12 as defined in s. 938.02 (15g), the ~~Wisconsin school for the visually handicapped~~
13 Wisconsin Center for the Blind and Visually Impaired, the ~~Wisconsin school~~ School
14 ~~for the deaf~~ Deaf, the Mendota mental health institute, the Winnebago mental health
15 institute, a state center for the developmentally disabled, a private school or a
16 private, nonprofit, nonsectarian agency under contract with a school board under s.
17 118.153 (3) (c).

18 **SECTION 2042s.** 115.341 of the statutes is repealed and recreated to read:

19 **115.341 School breakfast program. (1)** From the appropriation under s.
20 20.255 (2) (cm), the state superintendent shall reimburse each school board 10 cents
21 for each breakfast served at a school that meets the requirements of 7 CFR 220.8 or
22 220.8a, whichever is applicable, and shall reimburse each governing body of a
23 private school 10 cents for each breakfast served at the private school that meets the
24 requirements of 7 CFR 220.8 or 220.8a, whichever is applicable.

1 **(2)** If the appropriation under s. 20.255 (2) (cm) in any fiscal year is insufficient
2 to pay the full amount of aid under this section, the state superintendent shall
3 prorate state aid payments among the school boards and governing bodies of private
4 schools entitled to the aid.

5 **SECTION 2043.** 115.355 of the statutes is amended to read:

6 **115.355 Assistance to schools for instruction on adoption.** The
7 department shall annually and upon request disseminate to appropriate public
8 school staff information about materials and services available through the state
9 adoption center under s. ~~48.551~~ 48.55 which may serve as resources for instruction
10 on adoption for pupils in grades kindergarten through 12.

11 **SECTION 2044.** 115.36 (3) (a) (intro.) of the statutes is amended to read:

12 115.36 **(3)** (a) (intro.) The department shall, from the appropriation under s.
13 20.255 (2) ~~(g)~~ (kd), fund school district projects designed to assist minors
14 experiencing problems resulting from the use of alcohol or other drugs or to prevent
15 alcohol or other drug abuse by minors. The department shall:

16 **SECTION 2045.** 115.361 of the statutes is repealed and recreated to read:

17 **115.361 Alcohol and other drug abuse prevention and intervention**
18 **programs. (1)** A school board may apply to the department for a grant to fund an
19 alcohol and other drug abuse prevention and intervention program. The department
20 shall pay grants awarded under this section from the appropriation under s. 20.255
21 (2) (dm) and shall promulgate rules to implement and administer this section.

22 **(2)** The department shall collect and analyze information about the programs
23 funded under this section, evaluate their effectiveness and submit a report of the
24 evaluation to the appropriate standing committees of the legislature under s. 13.172
25 (3) and to the governor by July 1, 2000, and biennially by July 1 thereafter.

1 **SECTION 2046.** 115.3615 of the statutes is amended to read:

2 **115.3615 Head start supplement.** From the appropriation appropriations
3 under s. 20.255 (2) (eh) and (kh), the state superintendent shall distribute funds to
4 agencies determined by the state superintendent to be eligible for designation as
5 head start agencies under 42 USC 9836 to provide comprehensive health,
6 educational, nutritional, social and other services to economically disadvantaged
7 children and their families. The state superintendent shall distribute the funds in
8 a manner consistent with 42 USC 9831 to 9852 except that there is no matching fund
9 requirement. The state superintendent shall give preference in funding under this
10 section to ~~an agency that is~~ agencies that are receiving federal funds under 42 USC
11 9831 to 9852 and to agencies that operate full-time or early head start programs.
12 Funds distributed under this section may be used to match available federal funds
13 under 42 USC 9831 to 9852 only if the funds are used to secure additional federal
14 funds for the purposes under this section.

15 **SECTION 2047.** 115.362 of the statutes is repealed.

16 **SECTION 2048m.** 115.366 of the statutes is created to read:

17 **115.366 Alternative education grants. (1)** From the appropriation under
18 s. 20.255 (2) (cf), the department shall award grants to school districts and consortia
19 of school districts for alternative education programs, as defined by the department
20 by rule. The department shall encourage rural school districts and consortia of
21 school districts to apply for grants under this section.

22 **(2)** The department shall promulgate rules to implement and administer this
23 section.

24 **SECTION 2048ng.** 115.37 of the statutes is repealed and recreated to read:

1 **115.37 Blind and visual impairment education council.** (1) In this
2 section:

3 (a) “Council” means the blind and visual impairment education council.

4 (b) “Visually impaired” has the meaning given in s. 115.51 (4).

5 **(2)** The state superintendent shall seek the advice of and consult with the
6 council on issues related to persons who are visually impaired. The state
7 superintendent and the director of the Wisconsin Center for the Blind and Visually
8 Impaired, or their designees, shall attend meetings of the council.

9 **(3)** The council shall do all of the following:

10 (a) Meet at least twice each year.

11 (b) Advise the state superintendent on such statewide services, activities,
12 programs, investigations and research as in its judgment will benefit pupils who are
13 visually impaired.

14 (c) Make recommendations for the improvement of services provided by the
15 Wisconsin Center for the Blind and Visually Impaired.

16 (d) Review the level and quality of services available to pupils in the state who
17 are visually impaired and make recommendations about those services.

18 (e) Propose to the state superintendent ways to improve the preparation of
19 teachers and other staff who provide services to pupils who are visually impaired.

20 (f) Propose to the state superintendent ways to improve coordination between
21 the department and other agencies in providing services to persons who are visually
22 impaired.

23 **(4)** The council may initiate consultations with the department.

1 **(5)** The council shall have access to public files, public records and statistics
2 kept in the department that relate to matters concerning children who are visually
3 impaired.

4 **SECTION 2048nr.** 115.38 (1) (b) of the statutes is renumbered 115.38 (1) (b) 1.
5 and amended to read:

6 115.38 **(1)** (b) 1. Other indicators of school and school district performance,
7 including dropout, attendance, retention in grade and graduation rates; ~~numbers of~~
8 ~~suspensions and expulsions~~; percentage of habitual truants, as defined in s. 118.16
9 (1) (a); percentage of pupils participating in extracurricular and community
10 activities and advanced placement courses; percentage of graduates enrolled in
11 postsecondary educational programs; and percentage of graduates entering the
12 workforce.

13 **SECTION 2048t.** 115.38 (1) (b) 2. of the statutes is created to read:

14 115.38 **(1)** (b) 2. The numbers of suspensions and expulsions; the reasons for
15 which pupils are suspended or expelled, reported according to categories specified by
16 the state superintendent; the length of time for which pupils are expelled, reported
17 according to categories specified by the state superintendent; whether pupils return
18 to school after their expulsion; the educational programs and services, if any,
19 provided to pupils during their expulsions, reported according to categories specified
20 by the state superintendent; the schools attended by pupils who are suspended or
21 expelled; and the grade, sex and ethnicity of pupils who are suspended or expelled
22 and whether the pupils are children with disabilities, as defined in s. 115.76 (5).

23 **SECTION 2050.** 115.42 (1) (a) (intro.) of the statutes is amended to read:

24 115.42 **(1)** (a) (intro.) ~~In the 1999–2000 school year the~~ The department shall
25 award a ~~\$2,000~~ grant to any person who satisfies all of the following requirements:

1 **SECTION 2051.** 115.42 (1) (a) 1. of the statutes is amended to read:

2 115.42 (1) (a) 1. The person is certified by the National Board for Professional
3 Teaching Standards ~~before July 1, 2000.~~

4 **SECTION 2052.** 115.42 (1) (b) of the statutes is created to read:

5 115.42 (1) (b) The grant under this subsection shall be an amount equal to the
6 costs of obtaining certification under par. (a) 1. that are borne by the person, not to
7 exceed \$2,000. The department shall award the grant under this subsection in the
8 school year in which the person is certified under par. (a) 1., except that if the person
9 becomes certified under par. (a) 1. while he or she is not a resident of this state, the
10 department shall award the grant under this subsection in the first school year in
11 which the person meets the requirements under par. (a).

12 **SECTION 2053.** 115.42 (2) (intro.) of the statutes is amended to read:

13 115.42 (2) (intro.) ~~In the 2000–01 school year the~~ The department shall award
14 a \$2,500 grant to each person who received a grant under sub. (1) in each of the 9
15 school years following the school year in which he or she received the grant if the
16 person satisfies all of the following requirements:

17 **SECTION 2053am.** 115.435 of the statutes is created to read:

18 **115.435 Supplemental aid. (1)** A school district that satisfies all of the
19 following criteria may apply to the department by October 15 of each school year for
20 a grant to supplement aid under s. 121.08.

21 (a) The school district had an enrollment in the previous school year of fewer
22 than 500 pupils.

23 (b) The school district is at least 200 square miles in area.

1 (c) At least 65% of the real property in the school district is exempt from
2 taxation under s. 70.11, owned by or held in trust for a federally recognized American
3 Indian tribe or owned by the federal government.

4 (2) No later than June 30 of the current school year, the department shall, from
5 the appropriation under s. 20.255 (2) (ad), pay each school district that satisfies the
6 criteria under sub. (1) \$350 for each pupil enrolled in the school district in the
7 previous school year. If the appropriation under s. 20.255 (2) (ad) is insufficient to
8 pay the full amount under this subsection, the funds shall be prorated among the
9 entitled school districts.

10 (3) The department shall promulgate rules to implement and administer this
11 section.

12 **SECTION 2053b.** Subchapter III (title) of chapter 115 [precedes 115.51] of the
13 statutes is amended to read:

14 **CHAPTER 115**

15 **SUBCHAPTER III**

16 **STATE SCHOOLS SCHOOL FOR THE**

17 **DEAF AND STATE CENTER FOR THE**

18 **BLIND AND VISUALLY IMPAIRED**

19 **SECTION 2053c.** 115.51 (1) of the statutes is repealed.

20 **SECTION 2053d.** 115.51 (3) and (4) of the statutes are created to read:

21 115.51 (3) “Local educational agency” has the meaning given in s. 115.76 (10).

22 (4) “Visually impaired” means loss of vision or blindness as described in the
23 rule promulgated by the state superintendent to define “visual impairments” for the
24 purposes of s. 115.76 (5) (a) 4.

25 **SECTION 2053f.** 115.52 of the statutes is amended to read:

1 **115.52 Wisconsin schools School for the visually handicapped and the**
2 **deaf Deaf. (1)** The object of the Wisconsin school for the visually handicapped and
3 the Wisconsin school School for the deaf Deaf is to afford persons with visual
4 impairments and persons with hearing impairments a practical education and
5 physical rehabilitation which may aid them to make a living, discharge their duties
6 as citizens and secure to them all possible happiness.

7 **(2)** The state superintendent shall maintain and govern the school for the
8 visually handicapped and the school School for the deaf Deaf. The state
9 superintendent may fix the period of the school year at the schools school at not less
10 than 38 weeks, prescribe the school terms and confer diplomas upon meritorious
11 pupils who have completed the prescribed curricula.

12 **(3)** All the blind and the deaf residents of this state 6 to 20 years old, and for
13 the duration of a school term all the blind or deaf residents of this state who become
14 21 years old during that school term, who are capable of receiving instruction shall
15 be received and taught in the schools School for the Deaf free of charge. Like
16 nonresident pupils also may be received upon payment in advance of the fees fixed
17 by the state superintendent at an amount not less than \$75 per month, but no
18 nonresident shall be received to the exclusion of a resident pupil. The state
19 superintendent also may admit pupils who are 21 years of age or older prior to the
20 beginning of a school term upon the payment of fees fixed by the superintendent and
21 upon the recommendation of the secretary of health and family services, the director
22 of the technical college system or the superintendent of the school to which the pupil
23 will be assigned School for the Deaf. All pupils shall equally and freely enjoy the
24 benefits and privileges of the schools school and have the use of the library and books

1 of instruction and receive board, lodging and laundry, without discrimination. The
2 schools school may provide transportation for resident pupils.

3 (5) The state superintendent may grant approval for the maintenance of a
4 summer school at the school School for the deaf Deaf whenever it will be to the
5 advantage of persons with hearing impairments and may grant approval for the
6 maintenance of a summer school at the school for the visually handicapped whenever
7 it will be to the advantage of children with visual impairments. There shall be a
8 summer school each year at the school for the visually handicapped for adults with
9 visual impairments.

10 (6) The state superintendent may make charges for meals, living quarters,
11 laundry and other services furnished to employes of the schools School for the Deaf
12 and their families. The state superintendent also may make charges for services
13 furnished to visitors at the schools school and participants in training programs and
14 institutes.

15 (7) The Wisconsin school School for the deaf Deaf may provide instruction for
16 preschool children with hearing impairments and their parents. The Wisconsin
17 school for the visually handicapped may provide instruction for preschool children
18 with visual impairments and their parents. Such instruction or treatment shall be
19 subject to the approval of, and shall comply with requirements established by, the
20 department.

21 **SECTION 2053h.** 115.525 of the statutes is created to read:

22 **115.525 Wisconsin Center for the Blind and Visually Impaired. (1)**

23 DEFINITION. In this section, “center” means the Wisconsin Center for the Blind and
24 Visually Impaired.

1 **(1m) PURPOSE.** The purpose of the center is to serve as a statewide educational
2 resource relating to visual impairments to benefit all Wisconsin children who are
3 visually impaired.

4 **(2) GOVERNANCE.** The state superintendent shall maintain and govern the
5 center. The state superintendent shall appoint an individual who has training and
6 experience in educating pupils who are visually impaired to serve as the director of
7 the center.

8 **(3) SERVICES.** The center shall provide services that benefit children
9 throughout the state who are visually impaired.

10 (a) *School.* 1. ‘Residents 3 to 20 years old.’ The center shall operate a school
11 at which any resident of this state 3 to 20 years old who is visually impaired, and for
12 the duration of a school term any resident of this state who is visually impaired and
13 becomes 21 years old during that school term, shall be received and taught free of
14 charge if the individualized education program for the resident under s. 115.787 and
15 the educational placement under s. 115.79 specify the school operated by the center
16 as the appropriate placement.

17 2. ‘Residents 21 years old or older.’ The state superintendent may admit to the
18 school operated by the center a resident of the state who is visually impaired and is
19 21 years of age or older prior to the beginning of a school term upon the payment of
20 fees fixed by the state superintendent and upon the recommendation of the secretary
21 of health and family services, the director of the technical college system or the
22 director of the center.

23 3. ‘Nonresidents.’ A nonresident of this state, who is visually impaired, who
24 either is 3 to 20 years old or becomes 21 years old during a school term, whose
25 individualized education program under 20 USC 1414 (d) and educational placement

1 specify the school operated by the center as the appropriate placement and who is
2 capable of receiving instruction may be received at the school upon payment in
3 advance of the fees fixed by the state superintendent, but no nonresident may be
4 received to the exclusion of a resident pupil.

5 4. 'Pupil use of residential facilities.' Except as provided in sub. (4), the director
6 of the center shall make the residential facilities at the center available to all pupils
7 received at the school operated by the center.

8 5. 'School term.' The state superintendent shall fix the period of the school term
9 at the school operated by the center at not less than 38 weeks, prescribe the school
10 sessions and confer diplomas upon meritorious pupils who have completed the
11 prescribed curriculum. Pursuant to a pupil's individualized education program
12 under s. 115.787, a pupil may be placed at the school for less than a school term.

13 6. 'Transportation.' The center may provide transportation for resident pupils
14 at the school operated by the center.

15 (b) *Other statewide services.* The center may do any of the following:

16 1. Provide testing, evaluation and assessment services to assist local
17 educational agencies, cooperative educational service agencies and county children
18 with disabilities education boards.

19 2. Provide technical assistance and consultation services to entities such as
20 local educational agencies, cooperative educational service agencies, county children
21 with disabilities education boards and private schools.

22 3. Develop and disseminate curriculum and instructional materials.

23 4. Provide in service and other training to teachers and other staff serving
24 pupils who are visually impaired.

1 5. Provide training, technical assistance and consultation services for parents
2 of children who are visually impaired and for professionals who work with children
3 who are visually impaired.

4 6. Provide materials in braille, large print and other appropriate formats to
5 children who are visually impaired.

6 7. Train teachers and braillists about braille codes and formats used by
7 individuals who are visually impaired.

8 8. Loan books and other materials from the library described in par. (c) 2.

9 9. Serve as a clearinghouse for information about children who are visually
10 impaired, including information related to library resources, adapted materials and
11 current research.

12 10. Assist in providing assistive technology services, as defined in s. 115.76 (2),
13 for pupils who are visually impaired.

14 11. Lend, rent or lease technological materials and assistive technology
15 devices, as defined in s. 115.76 (1), to local educational agencies, cooperative
16 educational service agencies and county children with disabilities education boards.

17 12. Facilitate the preparation of teachers of pupils who are visually impaired
18 by providing assistance to teacher preparation programs.

19 13. Coordinate and collaborate with public and private agencies and
20 organizations that provide services to individuals who are visually impaired,
21 including the development of employment skills and opportunities.

22 14. Provide other statewide services that relate to the education of children who
23 are visually impaired.

24 (c) *Additional services.* 1. 'Birth to 2 services.' The center may provide
25 instruction or services, or both, for children who are under the age of 2 and are

1 visually impaired and their parents. The instruction or services are subject to the
2 approval of, and shall comply with requirements established by, the department.

3 2. 'Library.' Embossed, clear type or large type books acquired by the center
4 constitute a circulating collection for persons who are visually impaired. The
5 collection shall be kept at the center and be under the supervision of its director. All
6 school age children of the state who are visually impaired may use such books upon
7 compliance with criteria established by the director of the center and approved by
8 the state superintendent.

9 3. 'Summer programs.' The center shall provide summer programs each year
10 for children who are visually impaired.

11 4. 'Adult summer program.' The center shall provide a summer program each
12 year for adults who are visually impaired. The state superintendent may contract
13 with other entities to provide this program.

14 5. 'Independent living skills.' With the approval of the state superintendent,
15 the center may use state-owned housing on the grounds of the center in Janesville
16 as a facility in which individuals receive instruction in and practice independent
17 living skills.

18 (d) *Provision of services.* In addition to providing services at the center's facility
19 in Janesville, the center may provide services at any location in the state and may
20 operate regional satellite facilities throughout the state to provide services.

21 (4) NONDISCRIMINATION. All pupils at the center may equally and freely enjoy
22 the benefits and privileges of the center, have the use of the library and books of
23 instruction and receive board, lodging and laundry, without discrimination, except
24 that the director of the center may determine that board, lodging and laundry may

1 not be provided to an individual because appropriate services are not available for
2 that individual at the center's residential facilities.

3 (5) CHARGES. The state superintendent may charge for meals, living quarters,
4 laundry and other services furnished to employes of the center and their families.
5 The state superintendent may charge for services furnished to visitors at the center
6 and participants in training programs and institutes.

7 (6) LEASING OF SPACE. The state superintendent may lease space at the center
8 in Janesville that is not required by the center to any person if the state
9 superintendent determines that the use will not be inconsistent with the operation
10 of the center.

11 (7) AUDIT. In the 2002–03 fiscal year, the legislative audit bureau shall perform
12 a performance evaluation audit of the center. The bureau shall submit copies of the
13 audit report to the chief clerk of each house of the legislature for distribution to the
14 appropriate standing committees under s. 13.172 (3) by June 30, 2003.

15 **SECTION 2053j.** 115.53 (2) of the statutes is amended to read:

16 **115.53 (2)** Arrange for vocational, trade or academic training for any pupil in
17 either ~~state school~~ the school operated by the Wisconsin Center for the Blind and
18 Visually Impaired or the Wisconsin School for the Deaf qualified to take such
19 training advantageously, in either a public school or technical college or a private
20 business establishment in Janesville or Delavan. The public school and the technical
21 college shall be paid the regular tuition for full-time attendance and proportionally
22 for part-time attendance by the school district responsible for the provision of a free
23 appropriate public education under subch. V.

24 **SECTION 2053k.** 115.53 (3) of the statutes is renumbered 115.53 (3) (a) and
25 amended to read:

1 115.53 (3) (a) Arrange for otological or ophthalmic examination of any pupil or
2 prospective pupil of the ~~schools~~ Wisconsin School for the Deaf. The examination shall
3 be paid for from the appropriation in s. 20.255 (1) (b), (gh) or (gs).

4 **SECTION 2053L.** 115.53 (3) (b) of the statutes is created to read:

5 115.53 (3) (b) Arrange for ophthalmic or otological examination of any pupil or
6 prospective pupil of the school operated by the Wisconsin Center for the Blind and
7 Visually Impaired. The examination shall be paid from the appropriation in s. 20.255
8 (1) (b), (gh), (gL) or (gs).

9 **SECTION 2053m.** 115.53 (4) and (5) of the statutes are amended to read:

10 115.53 (4) Apply to the board of directors of the University of Wisconsin
11 Hospitals and Clinics Authority for admission to the University of Wisconsin
12 Hospitals and Clinics of any pupil in at the state schools Wisconsin School for the
13 Deaf or the school operated by the Wisconsin Center for the Blind and Visually
14 Impaired.

15 (a) The application shall be accompanied by the report of a physician appointed
16 by the ~~appropriate school~~ superintendent of the Wisconsin School for the Deaf or the
17 director of the Wisconsin Center for the Blind and Visually Impaired and shall be in
18 the same form as reports of other physicians for admission of patients to such
19 hospital.

20 (b) The net cost of hospital treatment shall be at the rate established under s.
21 233.40 (1) and shall be ~~chargeable to~~ paid from the appropriation ~~for operating the~~
22 patient's school under s. 20.255 (1) (b), (gh) or (gs) if the patient is a pupil at the
23 Wisconsin School for the Deaf or from the appropriation under s. 20.255 (1) (b), (gh),
24 (gL) or (gs) if the patient is a pupil at the school operated by the Wisconsin Center
25 for the Blind and Visually Impaired. The state superintendent likewise may

1 authorize payment for the expense of transporting patients to and from the hospital.
2 The state superintendent shall make payments for the treatment to the University
3 of Wisconsin Hospitals and Clinics Authority. Funds collected by the state
4 superintendent on account of the hospitalization shall be ~~deposited in~~ credited to the
5 appropriation under s. 20.255 (1) ~~(b)~~ (gh) for the school or center concerned.

6 (5) Arrange for visits by members of the staff of either school the Wisconsin
7 School for the Deaf or the Wisconsin Center for the Blind and Visually Impaired to
8 other public schools or to families of ~~blind or~~ deaf children or children who are
9 visually impaired, whenever it appears to the state superintendent that such visits
10 will be of advantage to ~~blind or deaf~~ such children.

11 **SECTION 2053p.** 115.54 of the statutes is amended to read:

12 **115.54 Compulsory education.** If it appears, by affidavit, to any circuit
13 judge that any ~~blind or~~ deaf child or child who is visually impaired between the ages
14 of 6 and 21 is deprived of a suitable education by the failure of the person having the
15 care and custody of the child to provide a suitable education, the judge shall order
16 the person to bring the child before the judge. If the material allegations of the
17 affidavit are denied, the judge shall subpoena witnesses and hear testimony. If the
18 allegations are admitted or established, the judge may order the child sent to the
19 school Wisconsin School for the ~~visually handicapped or for the deaf~~ Deaf, the school
20 operated by the Wisconsin Center for the Blind and Visually Impaired or to some
21 class or other school for instruction, but the order shall may not make a direct charge
22 for the class or school against any county.

23 **SECTION 2053q.** 115.55 of the statutes is repealed.

24 **SECTION 2053r.** 115.58 of the statutes is amended to read:

1 **115.58 Park grounds.** The state superintendent may permit the city of
2 Janesville to use portions of the grounds of the ~~state school for the visually~~
3 ~~handicapped~~ Wisconsin Center for the Blind and Visually Impaired at Janesville,
4 which abut on the Rock river, for purposes of operating a city park. Any construction
5 on such grounds is subject to prior approval by the state superintendent. Any
6 agreement pursuant hereto shall be cancelable at the option of either party without
7 liability. Any such grounds so used by the city of Janesville shall be supervised by
8 the city and shall be subject to the ordinances of the city of Janesville applicable to
9 city parks.

10 **SECTION 2054.** 115.75 (1) (a) of the statutes is amended to read:

11 115.75 **(1)** (a) Subject to the requirements of par. (b), each alternative school
12 operating an American Indian language and culture education program under this
13 subchapter shall receive state aid, from the appropriation under s. 20.255 (2) ~~(ei)~~
14 (km), in an amount equal to \$185 \$200 for each pupil who has completed the fall
15 semester in the program.

16 **SECTION 2055.** 115.75 (3) of the statutes is amended to read:

17 115.75 **(3)** If the appropriation under s. 20.255 (2) ~~(ei)~~ (km) in any year is
18 insufficient to pay the full amount of aid under this section, state aid payments shall
19 be prorated among the alternative schools entitled to such aid.

20 **SECTION 2055m.** 115.775 of the statutes is created to read:

21 **115.775 Duties of operators of certain charter schools.** **(1)** Except as
22 provided in sub. (2), an operator of a charter school under s. 118.40 (2r) is a local
23 educational agency, as defined in 20 USC 1401 (15), and shall comply with 20 USC
24 1400 to 1491o.

1 **(2)** The board of directors of the school district operating under ch. 119 is a local
2 educational agency under this section and shall comply with 20 USC 1400 to 1491o
3 if the board of directors enters into an agreement with an operator of a charter school
4 under s. 118.40 (2r) under which the board of directors agrees to serve as the local
5 educational agency.

6 **SECTION 2057.** 115.88 (1m) (a) of the statutes is amended to read:

7 **115.88 (1m)** (a) If, upon receipt of the plan under s. 115.77 (4), the state
8 superintendent is satisfied that the special education program has been maintained
9 during the preceding school year in accordance with law, the state superintendent
10 shall certify to the department of administration in favor of each county, cooperative
11 educational service agency and school district maintaining such special education
12 program a sum equal to ~~63%~~ of the amount expended by the county, agency and
13 school district during the preceding year for salaries of personnel enumerated in sub.
14 (1), including the salary portion of any authorized contract for physical or
15 occupational therapy services, ~~except as provided in par. (b),~~ and other expenses
16 approved by the state superintendent. ~~The department of administration shall pay~~
17 ~~such amounts to the county, agency and school district~~ as costs eligible for
18 reimbursement from the appropriation under s. 20.255 (2) (b).

19 **SECTION 2058.** 115.88 (1m) (am) of the statutes is created to read:

20 **115.88 (1m) (am)** If the operator of a charter school established under s. 118.40
21 (2r) operates a special education program and the state superintendent is satisfied
22 that the operator of the charter school is complying with 20 USC 1400 to 1491o, the
23 state superintendent shall certify to the department of administration in favor of the
24 operator of the charter school a sum equal to the amount that the operator of the
25 charter school expended during the previous school year for salaries of full-time or

1 part-time licensed teachers, licensed coordinators of special education, licensed
2 school social workers, licensed school psychologists, paraprofessionals, licensed
3 consulting teachers to work with any teacher of regular education programs who has
4 a child with a disability in a class and any other personnel, as determined by the state
5 superintendent. Certified costs under this paragraph are eligible for reimbursement
6 from the appropriation under s. 20.255 (2) (b). The state superintendent may audit
7 costs under this paragraph and adjust reimbursement to cover only actual, eligible
8 costs.

9 **SECTION 2059.** 115.88 (1m) (b) of the statutes is repealed.

10 **SECTION 2060.** 115.88 (2) of the statutes is amended to read:

11 115.88 (2) TRANSPORTATION AID. If upon receipt of the plan under s. 115.77 (4)
12 the state superintendent is satisfied that the transportation of children with
13 disabilities has been maintained during the preceding year in accordance with the
14 law, the state superintendent shall certify to the department of administration in
15 favor of each county, cooperative educational service agency or school district
16 transporting such pupils ~~63% of~~ an amount equal to the amount expended for such
17 transportation as costs eligible for reimbursement from the appropriations under s.
18 20.255 (2) (b) and (br). Pupils for whom aid is paid under this subsection shall not
19 be eligible for aid under s. 121.58 (2) or (4). ~~The department of administration shall~~
20 ~~pay such amounts to the county, agency or school district from the appropriations~~
21 ~~under s. 20.255 (2) (b) and (br).~~ This subsection applies to any child with a disability
22 who requires special assistance in transportation, including any such child
23 attending regular classes who requires special or additional transportation. This
24 subsection does not apply to any child with a disability attending regular or special
25 classes who does not require any special or additional transportation.

1 **SECTION 2061.** 115.88 (2m) of the statutes is created to read:

2 **115.88 (2m) OTHER TRANSPORTATION AID.** If the operator of a charter school
3 established under s. 118.40 (2r) transports children with disabilities and the state
4 superintendent is satisfied that the operator of the charter school is complying with
5 20 USC 1400 to 1491o, the state superintendent shall certify to the department of
6 administration in favor of the operator of the charter school a sum equal to the
7 amount that the operator of the charter school expended during the previous school
8 year for transportation under this subsection as costs eligible for reimbursement
9 from the appropriations under s. 20.255 (2) (b). The state superintendent may audit
10 costs under this subsection and adjust reimbursement to cover only actual, eligible
11 costs.

12 **SECTION 2061e.** 115.88 (3) of the statutes is amended to read:

13 **115.88 (3) BOARD AND LODGING AID.** There shall be paid the amount expended
14 for board and lodging and transportation between the boarding home and the special
15 education program of nonresident children enrolled under s. 115.82 (1) in the special
16 education program. The department shall certify ~~the full amount~~ to the department
17 of administration ~~which shall pay such amount from the appropriation under s.~~
18 ~~20.255 (2) (b) to the~~ in favor of each school district, cooperative educational service
19 agency, county children with disabilities education board, state agency of another
20 state or private, nonsectarian special education service which operates the special
21 education program while providing board, lodging and transportation an amount
22 equal to the amount expended for such board and lodging and transportation as costs
23 eligible for reimbursement from the appropriation under s. 20.255 (2) (b).

24 **SECTION 2061m.** 115.88 (6) of the statutes is amended to read:

1 115.88 (6) AID FOR INSTRUCTION OUTSIDE OF DISTRICT. ~~From the appropriation~~
2 ~~under s. 20.255 (2) (b) there shall be paid the full cost of salary~~ The department shall
3 certify to the department of administration, in favor of each school district, an
4 amount equal to the amount expended for salaries and travel expenses, in amounts
5 as determined in advance by the state superintendent, to school districts for
6 providing special education outside the school district of employment, as eligible for
7 reimbursement from the appropriation under s. 20.255 (2) (b).

8 **SECTION 2061s.** 115.88 (8) of the statutes is amended to read:

9 115.88 (8) ENROLLMENT OUT OF STATE. If a child with a disability is enrolled in
10 a public special education program located in another state and the state
11 superintendent is satisfied that the program in which the child is enrolled complies
12 with this subchapter, the state superintendent shall certify to the department of
13 administration in favor of the school district in which the child resides or the school
14 district attended by the child under s. 118.51 a sum equal to the ~~percentage of the~~
15 ~~approved costs under subs. (1) and (2) of the amount expended by the school district~~
16 during the preceding year for the additional costs associated with the child's special
17 education program. ~~The department of administration shall pay the amount to the~~
18 school district as costs eligible for reimbursement from the appropriation under s.
19 20.255 (2) (b).

20 **SECTION 2062.** 115.88 (9) of the statutes is amended to read:

21 115.88 (9) DISTRIBUTION SCHEDULE. Each county, cooperative educational
22 service agency, operator of a charter school established under s. 118.40 (2r) and
23 school district entitled to state aid under this section shall receive 15% of its total aid
24 entitlement in each month from November to March and 25% of its total entitlement
25 in June.

1 **SECTION 2063.** 115.882 of the statutes is repealed and recreated to read:

2 **115.882 Payment of state aid.** Funds appropriated under s. 20.255 (2) (b)
3 shall be used first for the purpose of s. 115.88 (4). Costs eligible for reimbursement
4 from the appropriations under s. 20.255 (2) (b) and (br) under ss. 115.88 (1m) to (3),
5 (6) and (8), 115.93 and 118.255 (4) shall be reimbursed at a rate set to distribute the
6 full amount appropriated for reimbursement for such costs, not to exceed 100%.

7 **SECTION 2064.** 115.93 (1) of the statutes is renumbered 115.93 and amended
8 to read:

9 **115.93 State aid.** ~~Except as provided under sub. (2), if~~ If upon receipt of the
10 reports under s. 115.92 (2) the state superintendent is satisfied that the school age
11 parents program has been maintained during the preceding school year in
12 accordance with the rules under s. 115.92 (3), the state superintendent shall certify
13 to the department of administration in favor of each school district maintaining the
14 program a sum equal to ~~63% of~~ the amount expended by the school district during
15 the preceding school year for salaries of teachers and instructional aides, special
16 transportation and other expenses approved by the state superintendent. ~~The~~
17 ~~department of administration shall pay such amounts to the school district~~ as costs
18 eligible for reimbursement from the appropriation under s. 20.255 (2) (b).

19 **SECTION 2065.** 115.93 (2) of the statutes is repealed.

20 **SECTION 2065m.** 115.995 of the statutes is renumbered 115.995 (intro.) and
21 amended to read:

22 **115.995 State aids.** (intro.) Upon receipt of the report under s. 115.993, if the
23 state superintendent is satisfied that the bilingual–bicultural education program for
24 the previous school year was maintained in accordance with this subchapter, the
25 state superintendent shall certify do all of the following:

1 (2) Certify to the department of administration in favor of the school district
2 a sum equal to a percentage of the amount expended on limited-English speaking
3 pupils by the school district during the preceding year for salaries of personnel
4 participating in and attributable to bilingual-bicultural education programs under
5 this subchapter, special books and equipment used in the bilingual-bicultural
6 programs and other expenses approved by the state superintendent. The percentage
7 shall be determined by dividing the amount in the appropriation under s. 20.255 (2)
8 (cc) in the current school year less \$250,000 by the total amount of aidable costs in
9 the previous school year.

10 **SECTION 2065n.** 115.995 (1) of the statutes is created to read:

11 115.995 (1) From the appropriation under s. 20.255 (2) (cc), divide
12 proportionally, based upon costs reported under s. 115.993, an annual payment of
13 \$250,000 among school districts whose enrollments in the previous school year were
14 at least 15% limited-English speaking pupils. Aid paid under this subsection does
15 not reduce aid paid under sub. (2).

16 **SECTION 2066m.** 118.045 of the statutes is created to read:

17 **118.045 Commencement of school term.** (1) Except as provided in subs.
18 (2) and (3), beginning in the year 2000, no public school may commence the school
19 term until September 1.

20 (2) Subsection (1) does not prohibit a school board from doing any of the
21 following:

22 (a) Holding athletic contests or practices before September 1.

23 (b) Scheduling in-service days or work days before September 1.

24 (c) Holding school year-round.

1 **(3)** A school board may commence the school term before September 1 in any
2 school year if it holds a public hearing on the issue and adopts a resolution to that
3 effect in that school year.

4 **SECTION 2067d.** 118.125 (4) of the statutes is amended to read:

5 118.125 **(4)** TRANSFER OF RECORDS. Within 5 working days, a school district shall
6 transfer to another school or school district all pupil records relating to a specific
7 pupil if the transferring school district has received written notice from the pupil if
8 he or she is an adult or his or her parent or guardian if the pupil is a minor that the
9 pupil intends to enroll in the other school or school district or written notice from the
10 other school or school district that the pupil has enrolled or from a court that the pupil
11 has been placed in a juvenile secured correctional facility ~~or, as defined in s. 938.02~~
12 (15m), a secured child caring institution, as defined in s. 938.02 (15g), or a secured
13 group home, as defined in s. 938.02 (15p). In this subsection, “school” and “school
14 district” include any juvenile secured correctional facility, secured child caring
15 institution ~~as defined in s. 938.02 (15g)~~, secured group home, adult correctional
16 institution, mental health institute or center for the developmentally disabled, that
17 provides an educational program for its residents instead of or in addition to that
18 which is provided by public and private schools.

19 **SECTION 2068.** 118.153 (3m) of the statutes is renumbered 106.13 (4m) and
20 amended to read:

21 106.13 **(4m)** (a) ~~After reviewing the recommendations of the governor’s council~~
22 ~~on workforce excellence under s. 106.115 (2) (em), the state superintendent The~~
23 board may approve an innovative school-to-work program provided by a nonprofit
24 organization for children at risk, as defined in s. 118.153 (1) (a), in a county having
25 a population of 500,000 or more to assist those children at risk in acquiring

1 employability skills and occupational-specific competencies before leaving high
2 school. If the ~~state superintendent~~ board approves a program under this paragraph,
3 the ~~state superintendent~~ board may award a grant, from the appropriation under s.
4 ~~20.255 (3) (ef)~~ 20.445 (7) (ef), to the nonprofit organization providing the program and
5 the nonprofit organization shall use the funds received under the grant to provide
6 the program.

7 (b) The ~~state superintendent~~ board shall establish requirements for the
8 operation of the grant program under this subsection. ~~Those~~ Notwithstanding sub.
9 (5), those requirements need not be promulgated as rules.

10 **SECTION 2068m.** 118.16 (1m) of the statutes is created to read:

11 118.16 **(1m)** The period during which a pupil is absent from school due to a
12 suspension or expulsion under s. 120.13 or 119.25 is neither an absence without an
13 acceptable excuse for the purposes of sub. (1) (a) nor an absence without legal cause
14 for the purposes of sub. (1) (c).

15 **SECTION 2068r.** 118.175 of the statutes is created to read:

16 **118.175 Pupils without parents or guardians; report required. (1)** This
17 section does not apply to a pupil who has a legal custodian, as defined in s. 48.02 (11)
18 or 938.02 (11), or who is cared for by a kinship care relative, as defined in s. 48.57 (3m)
19 (a).

20 **(2)** If a pupil is a child who is without a parent or guardian, any school teacher,
21 school administrator, school counselor or school social worker who knows that the
22 child is without a parent or guardian shall report that fact as soon as possible to the
23 county department under s. 46.22 or 46.23 or, in a county having a population of
24 500,000 or more, to the department of health and family services.

25 **SECTION 2069m.** 118.19 (1s) of the statutes is created to read:

1 118.19 **(1s)** (a) Notwithstanding subs. (1m) and (1r), if an applicant does not
2 have a social security number, the applicant, as a condition of applying for, or
3 applying to renew or revalidate, a license under this section shall submit a statement
4 made or subscribed under oath or affirmation to the department that the applicant
5 does not have a social security number.

6 (b) The teaching license of a person who submits a false statement under par.
7 (a) is invalid.

8 **SECTION 2069r.** 118.245 (3) of the statutes is amended to read:

9 118.245 **(3)** No school district may provide to its nonrepresented professional
10 employees for any 12-month period ending on June 30 an average increase for all such
11 employees in the total cost to the school district of compensation and fringe benefits
12 for such employees having an average cost per employe exceeding 3.8% of the average
13 total cost per employe of compensation and fringe benefits provided by the school
14 district to its nonrepresented professional employes for the preceding 12-month
15 period ending on June 30 or the average total percentage increased cost per employe
16 of compensation and fringe benefits provided to its represented professional
17 employes during the 12-month period ending on June 30 preceding the date that the
18 increase becomes effective, whichever is greater. ~~In this subsection, the cost of~~
19 ~~compensation includes the cost of any increase in compensation due to a promotion~~
20 ~~or the attainment of increased professional qualifications.~~ For purposes of this
21 subsection, the average total percentage increased cost per employe of the
22 compensation provided by a school district to its represented professional employes
23 shall be determined in accordance with the method prescribed by the employment
24 relations commission under s. 111.70 (4) (cm) 8s.

25 **SECTION 2070.** 118.255 (4) of the statutes is amended to read:

1 118.255 (4) If the state superintendent is satisfied that the health treatment
2 services program has been maintained during the preceding school year in
3 accordance with law, the state superintendent shall certify to the department of
4 administration in favor of each school board, cooperative educational service agency
5 and county children with disabilities education board maintaining such health
6 treatment services, an amount equal to ~~63%~~ of the amount expended for items listed
7 in s. 115.88 (1m) by the school board, cooperative educational service agency and
8 county children with disabilities education board during the preceding year for these
9 health treatment services. ~~The department of administration, upon such~~
10 ~~certification shall distribute the amounts to the appropriate school board,~~
11 ~~cooperative educational service agency and county children with disabilities~~
12 ~~education board as costs eligible for reimbursement from the appropriation under s.~~
13 20.255 (2) (b).

14 **SECTION 2071s.** 118.30 (1) (b) of the statutes is amended to read:

15 118.30 (1) (b) ~~If the governor has issued pupil academic standards as an~~
16 ~~executive order under s. 14.23, the~~ The department shall develop a high school
17 graduation examination that is designed to measure whether pupils meet the pupil
18 academic standards issued by the governor as executive order no. 326, dated
19 January 13, 1998.

20 **SECTION 2072.** 118.30 (1g) (a) of the statutes is renumbered 118.30 (1g) (a) 1.

21 **SECTION 2073.** 118.30 (1g) (a) 2. of the statutes is created to read:

22 118.30 (1g) (a) 2. By January 1, 2000, or by January 1 of the 1st school year of
23 operation, whichever is later, each operator of a charter school under s. 118.40 (2r)
24 shall adopt pupil academic standards in mathematics, science, reading and writing,
25 geography and history. The operator of the charter school may adopt the pupil

1 academic standards issued by the governor as executive order no. 326, dated
2 January 13, 1998.

3 **SECTION 2074n.** 118.30 (1g) (b) of the statutes is amended to read:

4 118.30 **(1g)** (b) Each school board operating high school grades and each
5 operator of a charter school under s. 118.40 (2r) that operates high school grades shall
6 adopt a high school graduation examination that is designed to measure whether
7 pupils meet the pupil academic standards adopted by the school board or operator
8 of the charter school under par. (a). If the school board or operator of the charter
9 school has adopted the pupil academic standards issued as ~~an~~ executive order under
10 s. 14.23 no. 326, dated January 13, 1998, the school board or operator of the charter
11 school may adopt the high school graduation examination developed by the
12 department under sub. (1) (b). If a school board or operator of a charter school
13 develops and adopts its own high school graduation examination, it shall notify the
14 department annually by October 1 that it intends to administer the examination in
15 the following school year.

16 **SECTION 2075.** 118.30 (1g) (c) of the statutes is amended to read:

17 118.30 **(1g)** (c) Each school board operating elementary grades and each
18 operator of a charter school under s. 118.40 (2r) that operates elementary grades may
19 develop or adopt its own examination designed to measure pupil attainment of
20 knowledge and concepts in the 4th grade and may develop or adopt its own
21 examination designed to measure pupil attainment of knowledge and concepts in the
22 8th grade. If the school board or operator of the charter school develops or adopts an
23 examination under this paragraph, it shall notify the department.

24 **SECTION 2076.** 118.30 (1m) (intro.) of the statutes is amended to read:

1 118.30 **(1m)** (intro.) Except as otherwise provided in this section ~~and in s.~~
2 ~~118.40 (2r) (d)~~, annually each school board shall do all of the following:

3 **SECTION 2076g.** 118.30 (1m) (a) of the statutes is amended to read:

4 118.30 **(1m)** (a) 1. Except as provided in sub. (6), administer the 4th grade
5 examination adopted or approved by the state superintendent under sub. (1) ~~(a)~~ to
6 all pupils enrolled in the school district, including pupils enrolled in charter schools
7 located in the school district, in the 4th grade. Beginning on July 1, 2002, if the
8 school board has not developed and adopted its own 4th grade examination, the
9 school board shall provide a pupil with at least 2 opportunities to ~~achieve a score on~~
10 take the examination administered under this subdivision ~~that is sufficient for~~
11 ~~promotion under sub. (5) (a) 1.~~

12 2. Beginning on July 1, 2002, if the school board has developed or adopted its
13 own 4th grade examination, administer that examination to all pupils enrolled in the
14 school district, including pupils enrolled in charter schools located in the school
15 district, in the 4th grade. The school board shall provide a pupil with at least 2
16 opportunities to ~~pass~~ take the examination administered under this subdivision.

17 **SECTION 2076r.** 118.30 (1m) (am) of the statutes is amended to read:

18 118.30 **(1m)** (am) 1. Except as provided in sub. (6), administer the 8th grade
19 examination adopted or approved by the state superintendent under sub. (1) ~~(a)~~ to
20 all pupils enrolled in the school district, including pupils enrolled in charter schools
21 located in the school district, in the 8th grade. Beginning on July 1, 2002, if the
22 school board has not developed and adopted its own 8th grade examination, the
23 school board shall provide a pupil with at least 2 opportunities to ~~achieve a score on~~
24 take the examination administered under this subdivision ~~that is sufficient for~~
25 ~~promotion under sub. (5) (b) 1.~~

1 2. Beginning on July 1, 2002, if the school board has developed or adopted its
2 own 8th grade examination, administer that examination to all pupils enrolled in the
3 school district, including pupils enrolled in charter schools located in the school
4 district, in the 8th grade. The school board shall provide a pupil with at least 2
5 opportunities to ~~pass~~ take the examination administered under this subdivision.

6 **SECTION 2077.** 118.30 (1m) (b) of the statutes is amended to read:

7 118.30 **(1m)** (b) Administer the 10th grade examination to all pupils enrolled
8 in the school district, including pupils enrolled in charter schools located in the school
9 district, in the 10th grade. ~~This paragraph does not apply after the 2000-01 school~~
10 ~~year.~~

11 **SECTION 2078n.** 118.30 (1m) (d) of the statutes is amended to read:

12 118.30 **(1m)** (d) If the school board operates high school grades, beginning in
13 the ~~2000-01~~ 2002-03 school year administer the high school graduation
14 examination adopted by the school board under sub. (1g) (b) to all pupils enrolled in
15 the school district, including pupils enrolled in charter schools located in the school
16 district, in the 11th and 12th grades. The school board shall administer the
17 examination at least twice each school year. ~~The school board shall determine the~~
18 ~~high school grades in which the examination will be administered each school year~~
19 and may administer the examination only to pupils enrolled in the 11th and 12th
20 grades.

21 **SECTION 2080.** 118.30 (1r) of the statutes is created to read:

22 118.30 **(1r)** Annually each operator of a charter school under s. 118.40 (2r) shall
23 do all of the following:

24 (a) 1. Except as provided in sub. (6), administer the 4th grade examination
25 adopted or approved by the state superintendent under sub. (1) (a) to all pupils

1 enrolled in the charter school in the 4th grade. Beginning on July 1, 2002, if the
2 operator of the charter school has not developed or adopted its own 4th grade
3 examination, the operator of the charter school shall provide a pupil with at least 2
4 opportunities to take the examination administered under this subdivision.

5 2. Beginning on July 1, 2002, if the operator of the charter school has developed
6 or adopted its own 4th grade examination, administer that examination to all pupils
7 enrolled in the charter school in the 4th grade. The operator of the charter school
8 shall provide a pupil with at least 2 opportunities to take the examination
9 administered under this subdivision.

10 (am) 1. Except as provided in sub. (6), administer the 8th grade examination
11 adopted or approved by the state superintendent under sub. (1) (a) to all pupils
12 enrolled in the charter school in the 8th grade. Beginning on July 1, 2002, if the
13 operator of the charter school has not developed and adopted its own 8th grade
14 examination, the operator of the charter school shall provide a pupil with at least 2
15 opportunities to take the examination administered under this subdivision.

16 2. Beginning on July 1, 2002, if the operator of the charter school has developed
17 or adopted its own 8th grade examination, administer that examination to all pupils
18 enrolled in the charter school in the 8th grade. The operator of the charter school
19 shall provide a pupil with at least 2 opportunities to take the examination
20 administered under this subdivision.

21 (b) Administer the 10th grade examination to all pupils enrolled in the charter
22 school in the 10th grade.

23 (d) If the charter school operates high school grades, beginning in the 2002–03
24 school year, administer the high school graduation examination adopted by the
25 operator of the charter school under sub. (1g) (b) to all pupils enrolled in the 11th and

1 12th grades in the charter school. The operator of the charter school shall administer
2 the examination at least twice each school year and may administer the examination
3 only to pupils enrolled in the 11th and 12th grades.

4 **SECTION 2081.** 118.30 (2) (b) 1. and 2. of the statutes are amended to read:

5 118.30 (2) (b) 1. If a pupil is enrolled in a special education program under
6 subch. V of ch. 115, the school board or operator of the charter school under s. 118.40
7 (2r) shall comply with s. 115.77 (1) (1m) (bg).

8 2. According to criteria established by the state superintendent by rule, the
9 school board or operator of the charter school under s. 118.40 (2r) may determine not
10 to administer an examination under this section to a limited-English speaking
11 pupil, as defined under s. 115.955 (7), may permit the pupil to be examined in his or
12 her native language or may modify the format and administration of an examination
13 for such pupils.

14 **SECTION 2082.** 118.30 (2) (b) 3. of the statutes is amended to read:

15 118.30 (2) (b) 3. Upon the request of a pupil's parent or guardian, the school
16 board shall excuse the pupil from taking an examination administered under ~~this~~
17 ~~section~~ sub. (1m).

18 **SECTION 2082g.** 118.30 (2) (b) 4. of the statutes is created to read:

19 118.30 (2) (b) 4. Upon the request of a pupil's parent or guardian, the operator
20 of a charter school under s. 118.40 (2r) shall excuse the pupil from taking an
21 examination administered under sub. (1r).

22 **SECTION 2082j.** 118.30 (2) (e) of the statutes is created to read:

23 118.30 (2) (e) A pupil's score on the examination administered under sub. (1m)
24 (d) or (1r) (d) shall be recorded on the pupil's transcript.

25 **SECTION 2082r.** 118.30 (5) of the statutes is repealed.

1 **SECTION 2084.** 118.30 (6) of the statutes is amended to read:

2 118.30 **(6)** A school board and an operator of a charter school under s. 118.40
3 (2r) is not required to administer the 4th and 8th grade examinations adopted or
4 approved by the state superintendent under sub. (1) ~~(a)~~ if the school board or the
5 operator of the charter school administers its own 4th and 8th grade examinations,
6 the school board or operator of the charter school provides the state superintendent
7 with statistical correlations of those examinations with the examinations adopted or
8 approved by the state superintendent under sub. (1) ~~(a)~~, and the federal department
9 of education approves.

10 **SECTION 2084m.** 118.33 (title) of the statutes is amended to read:

11 **118.33 (title) High school graduation standards; criteria for promotion.**

12 **SECTION 2085m.** 118.33 (1) (cm) of the statutes is repealed.

13 **SECTION 2086f.** 118.33 (1) (e) of the statutes is repealed.

14 **SECTION 2086h.** 118.33 (1) (f) of the statutes is created to read:

15 118.33 **(1) (f) 1.** By September 1, 2002, each school board operating high school
16 grades shall develop a written policy specifying criteria for granting a high school
17 diploma that are in addition to the requirements under par. (a). The criteria shall
18 include the pupil's score on the examination administered under s. 118.30 (1g) (d),
19 the pupil's academic performance, the recommendations of teachers and any other
20 criteria specified by the school board. Except as provided in subd. 2., the criteria
21 apply to pupils enrolled in charter schools located in the school district.

22 2. By September 1, 2002, each operator of a charter school under s. 118.40 (2r)
23 that operates high school grades shall develop a policy specifying criteria for
24 granting a high school diploma. The criteria shall include the pupil's score on the
25 examination administered under s. 118.30 (1r) (d), the pupil's academic

1 performance, the recommendations of teachers and any other criteria specified by
2 the operator of the charter school.

3 3. Beginning September 1, 2003, neither a school board nor an operator of a
4 charter school under s. 118.40 (2r) may grant a high school diploma to any pupil
5 unless the pupil has satisfied the criteria specified in the school board's or charter
6 school's policy under subd. 1. or 2.

7 **SECTION 2086m.** 118.33 (6) of the statutes is created to read:

8 118.33 (6) (a) 1. Each school board shall adopt a written policy specifying the
9 criteria for promoting a pupil from the 4th grade to the 5th grade and from the 8th
10 grade to the 9th grade. The criteria shall include the pupil's score on the examination
11 administered under s. 118.30 (1m) (a) or (am), unless the pupil has been excused from
12 taking the examination under s. 118.30 (2) (b); the pupil's academic performance; the
13 recommendations of teachers, which shall be based solely on the pupil's academic
14 performance; and any other academic criteria specified by the school board. Except
15 as provided in par. (b) 1., the criteria apply to pupils enrolled in charter schools
16 located in the school district.

17 2. Except as provided in par. (b) 2., beginning on September 1, 2002, a school
18 board may not promote a 4th grade pupil enrolled in the school district, including a
19 pupil enrolled in a charter school located in the school district, to the 5th grade, and
20 may not promote an 8th grade pupil enrolled in the school district, including a pupil
21 enrolled in a charter school located in the school district, to the 9th grade, unless the
22 pupil satisfies the criteria for promotion specified in the school board's policy adopted
23 under subd. 1.

24 (b) 1. Each operator of a charter school under s. 118.40 (2r) shall adopt a written
25 policy specifying the criteria for promoting a pupil from the 4th grade to the 5th grade

1 and from the 8th grade to the 9th grade. The criteria shall include the pupil's score
2 on the examination administered under s. 118.30 (1r) (a) or (am), unless the pupil has
3 been excused from taking the examination under s. 118.30 (2) (b); the pupil's
4 academic performance; the recommendations of teachers, which shall be based solely
5 on the pupil's academic performance; and any other academic criteria specified by
6 the operator of the charter school.

7 2. Beginning on September 1, 2002, an operator of a charter school under s.
8 118.40 (2r) may not promote a 4th grade pupil to the 5th grade, and may not promote
9 an 8th grade pupil to the 9th grade, unless the pupil satisfies the criteria for
10 promotion specified in the charter school operator's policy under subd. 1.

11 **SECTION 2086t.** 118.34 (4) of the statutes is created to read:

12 118.34 (4) The governor's work-based learning board shall review the local
13 technical preparation programs established under sub. (1) as operated during the
14 1999-2000 fiscal year, the organizational structure used to implement those
15 programs during that fiscal year and the allocation of funding to those programs for
16 that fiscal year to determine whether those programs, that organizational structure
17 and that allocation of funding should continue in the manner in which they were
18 provided during the 1999-2000 fiscal year beyond that fiscal year and shall submit
19 a plan for the implementation of those programs beyond the 1999-2000 fiscal year
20 to the joint committee on finance by June 15, 2000. If the cochairpersons of the
21 committee do not notify the governor's work-based learning board within 14 working
22 days after the date of submittal of the plan that the committee has scheduled a
23 meeting for the purpose of reviewing the plan, the board may implement the plan,
24 notwithstanding subs. (1), (2) and (3). If within 14 working days after the date of
25 submittal of the plan, the cochairpersons of the committee notify the governor's

1 work-based learning board that the committee has scheduled a meeting for the
2 purpose of reviewing the plan, the board may implement the plan, notwithstanding
3 subs. (1), (2) and (3), only as approved or modified by the committee.

4 **SECTION 2090.** 118.40 (2r) (d) 2. of the statutes is amended to read:

5 118.40 (2r) (d) 2. Administer the examinations under ss. 118.30 ~~(1m)~~ (1r) and
6 121.02 (1) (r) to pupils enrolled in charter schools under this subsection.

7 **SECTION 2090m.** 118.40 (2r) (e) of the statutes is amended to read:

8 118.40 (2r) (e) From the appropriation under s. 20.255 (2) (fm), the department
9 shall pay to the operator of the charter school an amount equal to the ~~shared cost per~~
10 ~~member in the previous school year of the school district operating under ch. 119~~ sum
11 of the amount paid per pupil under this paragraph in the previous school year and
12 the amount of revenue increase per pupil allowed under subch. VII of ch. 121 in the
13 current school year, multiplied by the number of pupils attending the charter school.
14 The department shall pay 25% of the total amount in September, 25% in December,
15 25% in February and 25% in June. The department shall send the check to the
16 operator of the charter school.

17 **SECTION 2091.** 118.40 (2r) (f) of the statutes is repealed.

18 **SECTION 2092.** 118.40 (2r) (g) of the statutes is repealed.

19 **SECTION 2095.** 118.42 of the statutes is repealed.

20 **SECTION 2096.** 118.43 (2) (a) of the statutes is amended to read:

21 118.43 (2) (a) The school board of any school district in which a school in the
22 previous school year had an enrollment that was at least 50% low-income is eligible
23 to participate in the program under this section, except that a school board is eligible
24 to participate in the program under this section in the 2000-01 school year if in the

1 1998–99 school year a school in the school district had an enrollment that was at least
2 50% low-income.

3 **SECTION 2097.** 118.43 (2) (b) (intro.) of the statutes is amended to read:

4 118.43 (2) (b) (intro.) In the 1996–97 and ~~1998–99~~ school years year, the school
5 board of an eligible school district may enter into a 5–year achievement guarantee
6 contract with the department on behalf of one school in the school district if all of the
7 following apply:

8 **SECTION 2098.** 118.43 (2) (bg) of the statutes is created to read:

9 118.43 (2) (bg) In the 1998–99 school year, the school board of an eligible school
10 district may enter into a 5–year achievement guarantee contract with the
11 department on behalf of one school in the school district if all of the following apply:

12 1. In the previous school year, the school had an enrollment that was at least
13 30% low-income.

14 2. The school board is not receiving a grant under the preschool to grade 5
15 program on behalf of the school under s. 115.45.

16 **SECTION 2099.** 118.43 (2) (br) of the statutes is created to read:

17 118.43 (2) (br) In the 2000–01 school year, the school board of an eligible school
18 district other than the school district operating under ch. 119 may enter into a 5–year
19 achievement guarantee contract with the department on behalf of one or more
20 schools in the school district if all of the following apply:

21 1. In the previous school year, each school had an enrollment that was at least
22 65% low-income.

23 2. The school board is not receiving a grant under the preschool to grade 5
24 program on behalf of any of the schools under s. 115.45.

1 3. The school board, if eligible to participate in the program under this section
2 in the 1996–97 and 1998–99 school years, had participated in the program during
3 either school year.

4 4. None of the schools is a beneficiary of a contract under this section.

5 **SECTION 2100.** 118.43 (2) (bt) of the statutes is created to read:

6 118.43 (2) (bt) In the 2000–01 school year, the school board of the school district
7 operating under ch. 119 may enter into a 5–year achievement guarantee contract
8 with the department on behalf of one or more schools in the school district if all of the
9 following apply:

10 1. In the previous school year, each school had an enrollment that was at least
11 65% low–income.

12 2. The school board is not receiving a grant under the preschool to grade 5
13 program under s. 115.45 on behalf of any of the schools.

14 3. None of the schools is a beneficiary of a contract under this section.

15 **SECTION 2101.** 118.43 (2) (c) of the statutes is amended to read:

16 118.43 (2) (c) Notwithstanding ~~par. (b)~~ par. (b) and (bg), the school board of the
17 school district operating under ch. 119 may enter into an achievement guarantee
18 contract on behalf of up to 10 schools under par. (b) and up to 10 schools under par.
19 (bg).

20 **SECTION 2102.** 118.43 (2) (e) 1. of the statutes is amended to read:

21 118.43 (2) (e) 1. If the school board of an eligible school district does not enter
22 into an achievement guarantee contract with the department, a school board that
23 has entered into such a contract, other than the school board of the school district
24 operating under ch. 119, may apply to the department to enter into such a contract

1 on behalf of one ~~additional school~~ or more schools that ~~meets~~ meet the requirements
2 under par. (b), ~~(bg)~~ or (br).

3 **SECTION 2103.** 118.43 (2) (f) of the statutes is amended to read:

4 118.43 (2) (f) The department may not enter into an achievement guarantee
5 contract with a school board on behalf of a school after June 30, ~~1999~~ 2001.

6 **SECTION 2104.** 118.43 (3) (intro.) of the statutes is amended to read:

7 118.43 (3) CONTRACT REQUIREMENTS. (intro.) Except as provided in ~~par.~~ pars.
8 (am) and (ar), an achievement guarantee contract shall require the school board to
9 do all of the following in each participating school:

10 **SECTION 2105.** 118.43 (3) (ar) of the statutes is created to read:

11 118.43 (3) (ar) *Class size; additional contracts.* For contracts that begin in the
12 2000–01 school year, reduce each class size to 15 in the following manner:

- 13 1. In the 2000–01 school year, in at least grades kindergarten and one.
- 14 2. In the 2001–02 school year, in at least grades kindergarten to 2.
- 15 3. In the 2002–03 to 2004–05 school years, in at least grades kindergarten to
- 16 3.

17 **SECTION 2106.** 118.43 (5) (b) of the statutes is amended to read:

18 118.43 (5) (b) ~~At the end of the 1997–98, 1998–99, 1999–2000, 2000–01 and~~
19 ~~2001–02 school years~~ Annually by June 30 through the 2003–04 school year, a
20 committee consisting of the state superintendent, the chairpersons of the education
21 committees in the senate and assembly and the individual chiefly responsible for the
22 evaluation under sub. (7) shall review the progress made by each school for which
23 an achievement guarantee contract has been entered into. The committee may
24 recommend to the department that the department terminate a contract if the
25 committee determines that the school board has violated the contract or if the school

1 has made insufficient progress toward achieving its performance objectives under
2 sub. (4) (c). The department may terminate the contract if it agrees with the
3 committee's recommendation.

4 **SECTION 2106r.** 118.43 (6) (b) 5. of the statutes is repealed.

5 **SECTION 2107b.** 118.43 (6) (b) 6., 7. and 8. of the statutes are created to read:

6 118.43 **(6)** (b) 6. In the 2000–01 school year, \$2,000 multiplied by the number
7 of low-income pupils enrolled in grades eligible for funding in each school in the
8 school district covered by contracts under sub. (3) (a) and (am). After making these
9 payments, the department shall pay school districts on behalf of schools that are
10 covered by contracts under sub. (3) (ar) an amount equal to \$2,000 multiplied by the
11 number of low-income pupils enrolled in grades eligible for funding in each school
12 in the school district covered by contracts under sub. (3) (ar). In making these
13 payments, the department shall give priority to schools that have the highest
14 percentage of low-income pupil enrollment and shall also ensure that it fully
15 distributes the amount appropriated.

16 7. In the 2001–02 and 2002–03 school years, \$2,000 multiplied by the number
17 of low-income pupils enrolled in grades eligible for funding in each school in the
18 school district covered by contracts under sub. (3) (am). After making these
19 payments, the department shall pay school districts on behalf of schools that are
20 covered by contracts under sub. (3) (ar), an amount equal to \$2,000 multiplied by the
21 number of low-income pupils enrolled in grades eligible for funding in each school
22 in the school district covered by contracts under sub. (3) (ar).

23 8. In the 2003–04 and 2004–05 school years, \$2,000 multiplied by the number
24 of low-income pupils enrolled in grades eligible for funding in each school in the
25 school district covered by contracts under sub. (3) (ar).

1 **SECTION 2107c.** 118.43 (6m) of the statutes is created to read:

2 118.43 **(6m)** RULES. The department shall promulgate rules to implement and
3 administer the payment of state aid under sub. (6).

4 **SECTION 2107d.** 118.43 (8) of the statutes is created to read:

5 118.43 **(8)** STATE AID FOR DEBT SERVICE. (a) Beginning in the 2000–01 school year,
6 a school district is eligible for aid under this subsection if it applies to the department
7 for approval of the amount of bonds specified in the copy of the resolution under 1999
8 Wisconsin Act (this act), section 9139 (2d). If the department approves the
9 amount before June 30, 2001, the department shall, from the appropriation under
10 s. 20.255 (2) (cs), pay each school district that issues bonds pursuant to a referendum
11 under 1999 Wisconsin Act (this act), section 9139 (2d), an amount equal to 20%
12 of the annual debt service cost on the bonds. This subsection does not apply to the
13 school district operating under ch. 119.

14 (b) The department shall promulgate rules to implement and administer this
15 subsection.

16 **SECTION 2107f.** 118.55 (7r) (d) 1. (intro.) and a. of the statutes are consolidated,
17 renumbered 118.55 (7r) (d) 1. and amended to read:

18 118.55 **(7r)** (d) 1. For each pupil attending a technical college under this
19 subsection, the school board shall pay to the technical college district board, in 2
20 instalments payable upon initial enrollment and at the end of the semester, the
21 following amount: ~~a. If the pupil is attending the technical college for less than 7~~
22 ~~credits that are eligible for high school credit,~~ for those courses taken for high school
23 credit, an amount equal to the cost of tuition, course fees and books for the pupil at
24 the technical college.

25 **SECTION 2107g.** 118.55 (7r) (d) 1. b. of the statutes is repealed.

1 **SECTION 2107n.** 118.55 (7t) of the statutes is created to read:

2 118.55 **(7t)** LIMITATIONS ON PARTICIPATION AND PAYMENT. (a) When a pupil gains
3 12th grade status, as determined by the school board of the school district in which
4 the pupil is enrolled, the pupil may participate in the program under this section for
5 no more than 2 consecutive semesters.

6 (b) If a school board is required to pay tuition on behalf of a pupil under sub.
7 (5) (a) or (c) 1. or (7r) (d), the tuition charged may not exceed the amount that would
8 be charged a pupil who is a resident of this state.

9 **SECTION 2107r.** 118.55 (7w) (title) of the statutes is repealed.

10 **SECTION 2107t.** 118.55 (7w) of the statutes is renumbered 118.55 (7r) (f) and
11 amended to read:

12 118.55 **(7r)** (f) A pupil taking a course at a technical college for high school
13 credit under this section subsection is not responsible for any portion of the tuition
14 and fees for the course if the school board is required to pay the technical college for
15 the course under sub. ~~(7r)~~ par. (d).

16 **SECTION 2108m.** 119.04 (1) of the statutes is amended to read:

17 119.04 **(1)** Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.03 (3) (c),
18 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343, 115.345, 115.361, 115.38
19 (2), 115.45, 118.001 to 118.04, 118.045, 118.06, 118.07, 118.10, 118.12, 118.125 to
20 118.14, 118.145 (4), 118.15, 118.153, 118.16, 118.162, 118.163, 118.164, 118.18,
21 118.19, 118.20, 118.24 (1), (2) (c) to (f), (6) and (8), 118.245, 118.255, 118.258, 118.30
22 to 118.43, 118.51, 118.52, 118.55, 120.12 (5) and (15) to ~~(25)~~ (26), 120.125, 120.13 (1),
23 (2) (b) to (g), (3), (14), (17) to (19), (26), (34) and (35), 120.135 and 120.14 are
24 applicable to a 1st class city school district and board.

25 **SECTION 2108g.** 119.16 (3) (b) of the statutes is amended to read:

1 119.16 (3) (b) ~~Schoolhouses~~ Except as provided in par. (c), schoolhouses and the
2 sites on which they are situated shall be the property of the city, ~~but no~~. No site may
3 be purchased or leased and no schoolhouse may be constructed unless a resolution
4 therefor is duly adopted by the board. ~~Deeds~~ Except as provided in par. (c), deeds of
5 conveyance and leases shall be made to the city.

6 **SECTION 2108r.** 119.16 (3) (c) of the statutes is created to read:

7 119.16 (3) (c) If the redevelopment authority of the city issues bonds under s.
8 66.431 (5r), the board may lease buildings or sites from the redevelopment authority
9 or borrow money from the redevelopment authority for the purposes of par. (a).

10 **SECTION 2108s.** 119.16 (10) of the statutes is created to read:

11 119.16 (10) PUBLIC HEARINGS ON SCHOOL CONSTRUCTION. The board shall hold a
12 public hearing in each attendance district in which a new school that is financed with
13 bond proceeds under s. 66.431 (5r) is to be constructed.

14 **SECTION 2109c.** 119.23 (1) of the statutes is renumbered 119.23 (1) (intro.) and
15 amended to read:

16 119.23 (1) (intro.) In this section, ~~“membership”~~:

17 (a) “Membership” has the meaning given in s. 121.004 (5).

18 **SECTION 2109g.** 119.23 (1) (b) and (c) of the statutes are created to read:

19 119.23 (1) (b) “Summer average daily membership equivalent” has the
20 meaning given in s. 121.004 (8).

21 (c) “Summer choice average daily membership equivalent” means the summer
22 average daily membership equivalent of pupils who were attending a private school
23 under this section on the 2nd Friday of January of the school term immediately
24 preceding that summer or whose applications have been accepted under sub. (3) for

1 attendance at the private school in the school term immediately following that
2 summer.

3 **SECTION 2109m.** 119.23 (2) (a) 1. of the statutes is amended to read:

4 119.23 (2) (a) 1. The pupil is a member of a family that has a an average total
5 family income over a 4-year period that does not exceed an amount equal to 1.75
6 times the poverty level determined in accordance with criteria established by the
7 director of the federal office of management and budget.

8 **SECTION 2109p.** 119.23 (4) of the statutes is renumbered 119.23 (4) (b) (intro.)
9 and amended to read:

10 119.23 (4) (b) (intro.) Upon receipt from the pupil's parent or guardian of proof
11 of the pupil's enrollment in the private school during a school term, the state
12 superintendent shall pay to the parent or guardian, from the appropriation under s.
13 20.255 (2) (fu), an amount equal to the ~~total amount to which the school district is~~
14 ~~entitled under s. 121.08 divided by the school district membership, or an~~ lesser of the
15 following:

16 1. The amount equal to the private school's operating and debt service cost per
17 pupil that is related to educational programming, as determined by the department,
18 whichever is less.

19 (c) The state superintendent shall pay 25% of the total amount under par. (b)
20 in September, 25% in November, 25% in February and 25% in May. The state
21 superintendent may include the entire amount under sub. (4m) in one of those
22 instalments or apportion the entire amount among one or more of those instalments.

23 The department shall send the check to the private school. The parent or guardian
24 shall restrictively endorse the check for the use of the private school.

25 **SECTION 2109q.** 119.23 (4) (a) of the statutes is created to read:

1 119.23 (4) (a) Annually, on or before October 15, a private school participating
2 in the program under this section shall file with the department a report stating its
3 summer average daily membership equivalent and its summer choice average daily
4 membership equivalent for the purpose of sub. (4m).

5 **SECTION 2109s.** 119.23 (4) (b) 2. of the statutes is created to read:

6 119.23 (4) (b) 2. The sum of the amount paid per pupil under this subsection
7 in the previous school year and the amount of revenue increase per pupil allowed
8 under subch. VII of ch. 121 in the current school year.

9 **SECTION 2109t.** 119.23 (4m) of the statutes is created to read:

10 119.23 (4m) Beginning in the 1999–2000 school year, in addition to the
11 payment under sub. (4) the state superintendent shall pay to the parent or guardian
12 of each pupil enrolled in a private school under this section, in the manner described
13 in sub. (4) (c), an amount determined by multiplying the payment under sub. (4) by
14 the quotient determined by dividing the summer choice average daily membership
15 equivalent of the private school by the total number of pupils for whom payments are
16 being made under sub. (4).

17 **SECTION 2110.** 119.23 (5) (intro.) and (c) of the statutes are consolidated,
18 renumbered 119.23 (5) and amended to read:

19 119.23 (5) The state superintendent shall: ~~(c) Ensure~~ ensure that pupils and
20 parents and guardians of pupils who reside in the city are informed annually of the
21 private schools participating in the program under this section.

22 **SECTION 2111.** 119.23 (5) (a) of the statutes is repealed.

23 **SECTION 2112.** 119.23 (5) (b) of the statutes is repealed.

24 **SECTION 2113g.** 119.24 of the statutes is amended to read:

1 **119.24 Admission of pupils.** ~~Each school under the jurisdiction of the board~~
2 ~~shall be open to pupils residing within the attendance district established for that~~
3 ~~school under s. 119.16 (2). A pupil residing in any such district may attend a school~~
4 ~~in another an attendance district other than the one in which he or she resides with~~
5 ~~the written permission of the superintendent of schools. Beginning in the 2000-01~~
6 ~~school year, the board shall provide spaces in each school for pupils who reside~~
7 ~~outside the attendance district for the school, but shall fill any unused spaces with~~
8 ~~pupils who reside in the attendance district. A pupil who attends a school may~~
9 ~~continue to attend that school until he or she graduates from the school and each~~
10 ~~sibling of that pupil shall be given priority over other pupils in the process of~~
11 ~~admission for that school.~~

12 **SECTION 2118g.** 119.71 (2) of the statutes is repealed.

13 **SECTION 2118r.** 119.71 (3) of the statutes is amended to read:

14 119.71 **(3)** (a) ~~The Annually, the board shall use the funds received under sub.~~
15 ~~(2) spend at least \$5,090,000 to expand its half-day 5-year-old kindergarten~~
16 ~~program to a full-day program, as provided under par. (b), and shall enroll in the~~
17 ~~expanded program only pupils who meet the income eligibility standards for a free~~
18 ~~lunch under 42 USC 1758 (b). The board shall select pupils for the expanded program~~
19 ~~based on the order in which the pupils register for the program.~~

20 (b) The board shall use the funds received specified under ~~sub. (2) par. (a)~~ to pay
21 the costs of teachers, aides and other support staff, transportation of staff to pupils'
22 homes, in-service programs, parental involvement programs and instructional
23 materials. The board may not use the funds to ~~supplant or replace funding otherwise~~
24 ~~available for full-day 5-year-old kindergarten or to provide facilities to house the~~

1 program or to pay pupil transportation or indirect administrative costs associated
2 with the program.

3 **SECTION 2119.** 119.72 (5) of the statutes is amended to read:

4 119.72 (5) From the appropriation under s. 20.255 (2) ~~(ee)~~ (kp), the state
5 superintendent shall pay to the board the amount specified in the spending plan
6 under s. 119.80 for the program under this section in each school year.

7 **SECTION 2119m.** 119.74 (intro.) of the statutes is amended to read:

8 **119.74 Extended-day elementary grade, 4-year-old kindergarten and**
9 **alcohol and other drug abuse programs.** (intro.) ~~From the appropriation under~~
10 ~~s. 20.255 (2) (ec), the state superintendent shall pay to the~~ The board the amounts
11 ~~specified in the spending plan under s. 119.80 shall spend at least \$430,000 for the~~
12 following programs in each school year:

13 **SECTION 2120d.** 119.75 (2) (a) of the statutes is repealed.

14 **SECTION 2120h.** 119.75 (2) (b) of the statutes is renumbered 119.75 (2) and
15 amended to read:

16 119.75 (2) ~~The~~ Annually, the board shall ~~use the funds received under par. (a)~~
17 spend at least \$1,070,000 to pay the costs of teachers, aides and other support staff,
18 transportation of staff to pupils' homes, in-service programs, parental involvement
19 programs and instructional materials related to the programs under sub. (1). The
20 board may not use the funds ~~to supplant or replace funding otherwise available for~~
21 ~~first grade programs or to provide facilities to house the programs under sub. (1) or~~
22 to pay pupil transportation or indirect administrative costs associated with the
23 programs under sub. (1).

24 **SECTION 2120p.** 119.78 (1) of the statutes is renumbered 119.78.

25 **SECTION 2120t.** 119.78 (2) of the statutes is repealed.

1 **SECTION 2121m.** 119.80 (1) of the statutes is amended to read:

2 119.80 **(1)** The board shall submit to the governor a proposal for the
3 expenditure of the funds in the appropriation under s. 20.255 (2) (~~ee~~) (kp) in each
4 school year.

5 **SECTION 2122m.** 119.80 (1m) of the statutes is amended to read:

6 119.80 **(1m)** Annually by June 1, the governor shall submit to the joint
7 committee on finance and to the appropriate standing committees of the legislature
8 under s. 13.172 (3) a proposal for the expenditure of the funds in the appropriation
9 under s. 20.255 (2) (~~ee~~) (kp) in the following school year. By June 15, each such
10 standing committee may submit written recommendations on the proposal to the
11 joint committee on finance.

12 **SECTION 2123.** 119.80 (4) of the statutes is created to read:

13 119.80 **(4)** The department may not distribute any funds in the appropriation
14 under s. 20.255 (2) (kp) in any fiscal year until the spending plan for that fiscal year
15 has been approved.

16 **SECTION 2124.** 119.82 (3) of the statutes is amended to read:

17 119.82 **(3)** From the appropriation under s. 20.255 (2) (~~ee~~) (kp), the state
18 superintendent shall pay to the board the amount specified in the spending plan
19 under s. 119.80 in each school year for the programs under sub. (1).

20 **SECTION 2124m.** 120.12 (26) of the statutes is created to read:

21 120.12 **(26)** SCHOOL SAFETY PLANS. Have in effect a school safety plan for each
22 school in the school district.

23 **SECTION 2124t.** 120.13 (1) (b) of the statutes is amended to read:

24 120.13 **(1)** (b) The school district administrator or any principal or teacher
25 designated by the school district administrator also may make rules, with the

1 consent of the school board, and may suspend a pupil for not more than 5 school days
2 or, if a notice of expulsion hearing has been sent under par. (c) 4 or (e) 4. or s. 119.25
3 (2) (c), for not more than a total of 15 consecutive school days for noncompliance with
4 such rules or school board rules, or for knowingly conveying any threat or false
5 information concerning an attempt or alleged attempt being made or to be made to
6 destroy any school property by means of explosives, for conduct by the pupil while
7 at school or while under the supervision of a school authority which endangers the
8 property, health or safety of others, or for conduct while not at school or while not
9 under the supervision of a school authority which endangers the property, health or
10 safety of others at school or under the supervision of a school authority or endangers
11 the property, health or safety of any employe or school board member of the school
12 district in which the pupil is enrolled. In this paragraph, conduct that endangers a
13 person or property includes making a threat to the health or safety of a person or
14 making a threat to damage property. Prior to any suspension, the pupil shall be
15 advised of the reason for the proposed suspension. The pupil may be suspended if
16 it is determined that the pupil is guilty of noncompliance with such rule, or of the
17 conduct charged, and that the pupil's suspension is reasonably justified. The parent
18 or guardian of a suspended minor pupil shall be given prompt notice of the
19 suspension and the reason for the suspension. The suspended pupil or the pupil's
20 parent or guardian may, within 5 school days following the commencement of the
21 suspension, have a conference with the school district administrator or his or her
22 designee who shall be someone other than a principal, administrator or teacher in
23 the suspended pupil's school. If the school district administrator or his or her
24 designee finds that the pupil was suspended unfairly or unjustly, or that the
25 suspension was inappropriate, given the nature of the alleged offense, or that the

1 pupil suffered undue consequences or penalties as a result of the suspension,
2 reference to the suspension on the pupil's school record shall be expunged. Such
3 finding shall be made within 15 days of the conference. A pupil suspended under this
4 paragraph shall not be denied the opportunity to take any quarterly, semester or
5 grading period examinations or to complete course work missed during the
6 suspension period, as provided in the attendance policy established under s. 118.16
7 (4) (a).

8 **SECTION 2124u.** 120.13 (1) (c) 1. of the statutes is amended to read:

9 120.13 (1) (c) 1. The school board may expel a pupil from school whenever it
10 finds the pupil guilty of repeated refusal or neglect to obey the rules, or finds that a
11 pupil knowingly conveyed or caused to be conveyed any threat or false information
12 concerning an attempt or alleged attempt being made or to be made to destroy any
13 school property by means of explosives, or finds that the pupil engaged in conduct
14 while at school or while under the supervision of a school authority which
15 endangered the property, health or safety of others, or finds that a pupil while not
16 at school or while not under the supervision of a school authority engaged in conduct
17 which endangered the property, health or safety of others at school or under the
18 supervision of a school authority or endangered the property, health or safety of any
19 employe or school board member of the school district in which the pupil is enrolled,
20 and is satisfied that the interest of the school demands the pupil's expulsion. In this
21 subdivision, conduct that endangers a person or property includes making a threat
22 to the health or safety of a person or making a threat to damage property.

23 **SECTION 2124vr.** 120.13 (2) (g) of the statutes is amended to read:

24 120.13 (2) (g) Every self-insured plan under par. (b) shall comply with ss.
25 49.493 (3) (d), 631.89, 631.90, 631.93 (2), 632.746 (10) (a) 2. and (b) 2., 632.747 (3),

1 632.85, 632.853, 632.855, 632.87 (4) and (5), 632.895 (9) to (13), 632.896, and 767.25
2 (4m) (d), ~~767.51 (3m) (d) and 767.62 (4) (b) 4.~~

3 **SECTION 2124vm.** 120.13 (14) of the statutes is amended to read:

4 120.13 **(14)** DAY CARE PROGRAMS. Establish and provide or contract for the
5 provision of day care programs for children. The school board may receive federal
6 or state funds for this purpose. The school board may charge a fee for all or part of
7 the cost of the service for participation in a day care program established under this
8 subsection. Costs associated with a day care program under this subsection may not
9 be included in shared costs under s. 121.07 (6). Day care programs established under
10 this subsection shall meet the standards for licensed day care centers established by
11 the department of health and family services. If a school board proposes to contract
12 for or renew a contract for the provision of a day care program under this subsection
13 or if on July 1, 1996, a school board is a party to a contract for the provision of a day
14 care program under this subsection, the school board shall refer the contractor or
15 proposed contractor to the department of health and family services for the criminal
16 history and child abuse record search required under s. 48.685. Each school board
17 shall provide the department of health and family services with information about
18 each person who is denied a contract for a reason specified in s. 48.685 ~~(2)~~ (4m) (a)
19 1. to 5.

20 **SECTION 2125.** 120.13 (26r) of the statutes is amended to read:

21 120.13 **(26r)** CONTRACTS FOR ~~OUTPATIENT~~ MENTAL HEALTH AND DEVELOPMENTAL
22 DISABILITIES SERVICES. Contract with the department of health and family services for
23 ~~outpatient~~ services under s. 51.07 ~~(4)~~ 46.043.

24 **SECTION 2126.** 120.13 (27m) of the statutes is amended to read:

1 **120.13 (27m)** TRANSPORTATION OF INDIGENT PUPILS. Provide transportation to
2 and from school for indigent pupils who reside in the school district and who are not
3 required to be transported under s. 121.54. In this subsection, “indigent pupils”
4 means pupils who are eligible for free lunches or reduced-price lunches under 42
5 USC 1758 ~~or aid to 18-year-old students under s. 49.20 or for whom aid to families~~
6 ~~with dependent children is being received under s. 49.19~~ or who are members of a
7 Wisconsin works group, as defined in s. 49.141 (1) (s), with a member who is
8 participating in Wisconsin works under s. 49.147 (3) to (5) or any combination
9 thereof, as determined by the school board. If a school board determines to provide
10 transportation under this subsection, there shall be reasonable uniformity in the
11 transportation furnished such pupils whether they attend public or private schools.
12 The cost of transporting pupils under this subsection may not be included in the
13 school district’s shared cost under s. 121.07 (6) (a).

14 **SECTION 2126m.** 120.135 of the statutes is created to read:

15 **120.135 Capital improvement fund. (1)** By the first day of the 6th month
16 commencing after the effective date of this subsection [revisor inserts date], by a
17 two-thirds vote of the members elect, a school board may adopt a resolution creating
18 a capital improvement fund for the purpose of financing the cost of acquiring and
19 improving sites, constructing school facilities and major maintenance of or
20 remodeling, renovating and improving school facilities.

21 **(2)** If a tax incremental district that is located in whole or in part in the school
22 district is terminated before the maximum number of years that the tax incremental
23 district would have existed under s. 66.46 (7) (am) or (ar), in each year in which the
24 school board adopts a resolution by a two-thirds vote of the members elect expressing
25 its intention to do so until the year after the year in which the tax incremental district

1 would have been required to terminate under s. 66.46 (7) (am) or (ar), the school
2 board shall deposit into the capital improvement fund the percentage specified in the
3 resolution of the school district's portion of the positive tax increment of the tax
4 incremental district in that year, as determined by the department of revenue under
5 s. 66.46. If the value increment is less than \$300,000,000, the percentage specified
6 in the resolution may not exceed 66.7%.

7 (3) The school board shall use the balance of the school district's portion of the
8 positive tax increment of the tax incremental district to reduce the levy that
9 otherwise would be imposed.

10 (4) Money in the capital improvement fund may not be used for any purpose
11 or be transferred to any other fund without the approval of a majority of the electors
12 of the school district voting on the question at a referendum.

13 (5) The school board shall submit a report by January 1 of each odd-numbered
14 year to the governor and the joint committee on finance describing the use of the
15 moneys deposited into the fund under sub. (1) and the effects of that use.

16 **SECTION 2127.** 121.004 (7) (a) (intro.) of the statutes is amended to read:

17 121.004 (7) (a) (intro.) "Pupils enrolled" is the total number of pupils, as
18 expressed by official enrollments, in all schools of the school district, except as
19 provided in pars. (b) to (e) (f). If such total contains a fraction, it shall be expressed
20 as the nearest whole number. The same method shall be used in computing the
21 number of pupils enrolled for resident pupils, nonresident pupils or both.

22 **SECTION 2128.** 121.004 (7) (f) of the statutes is created to read:

23 121.004 (7) (f) A pupil who transfers from one school district to another under
24 s. 121.85 (3) (a) shall be counted by the school district in which the pupil resides as

1 0.75 pupil or, if appropriate, as a number equal to the result obtained by multiplying
2 0.75 by the appropriate fraction under par. (c), (cm) or (d).

3 **SECTION 2128n.** 121.004 (8) of the statutes is amended to read:

4 121.004 (8) SUMMER AVERAGE DAILY MEMBERSHIP EQUIVALENT. “Summer average
5 daily membership equivalent” is the ~~sum of all~~ total number of minutes in which
6 pupils are enrolled in academic summer classroom classes or laboratory periods in
7 ~~which each pupil is enrolled as determined by multiplying the total number of~~
8 ~~periods in each day in which the pupil is enrolled by the total number of days for~~
9 ~~which the pupil is enrolled, as defined by the state superintendent under s. 121.14,~~
10 divided by ~~1,080~~ 48,600.

11 **SECTION 2128m.** 121.02 (1) (L) 5. of the statutes is repealed.

12 **SECTION 2129.** 121.02 (1) (r) of the statutes is amended to read:

13 121.02 (1) (r) ~~Annually~~ Except as provided in s. 118.40 (2r) (d) 2., annually
14 administer a standardized reading test developed by the department to all pupils
15 enrolled in the school district in grade 3, including pupils enrolled in charter schools
16 located in the school district.

17 **SECTION 2130.** 121.02 (1) (s) of the statutes is amended to read:

18 121.02 (1) (s) Administer the examinations as required under s. 118.30 ~~(1m)~~
19 ~~(a), (am) and (b) and, beginning in the 1999–2000 school year, administer the high~~
20 ~~school graduation examination required under s. 118.30 (1m) (d).~~

21 **SECTION 2131.** 121.05 (1) (a) 4. of the statutes is repealed.

22 **SECTION 2131d.** 121.05 (1) (a) 8. of the statutes is amended to read:

23 121.05 (1) (a) 8. Pupils enrolled in a ~~residential school operated by the state~~ the
24 Wisconsin School for the Deaf or the school operated by the Wisconsin Center for the
25 Blind and Visually Impaired under subch. III of ch. 115 for whom the school district

1 is paying tuition under s. 115.53 (2) determined by multiplying the total number of
2 periods in each day in which the pupils are enrolled in the local public school by the
3 total number of days for which the pupils are enrolled in the local public school and
4 dividing the product by 1,080.

5 **SECTION 2132.** 121.05 (1) (a) 9. of the statutes is amended to read:

6 121.05 (1) (a) 9. Pupils enrolled in a charter school, other than a charter school
7 under s. 118.40 (2r).

8 **SECTION 2134.** 121.05 (1) (a) 11. of the statutes is amended to read:

9 121.05 (1) (a) 11. Pupils residing in the school district but attending a public
10 school in another school district under s. 118.51 or 121.85 (3) (a).

11 **SECTION 2135.** 121.07 (1) (a) of the statutes is amended to read:

12 121.07 (1) (a) The membership of the school district in the previous school year
13 and the shared cost for the previous school year shall be used in computing general
14 aid, ~~except that the membership used to compute state aid to the school district~~
15 ~~operating under ch. 119 shall include those pupils who are attending a private school~~
16 ~~under s. 119.23 in the current school year and were enrolled in grades kindergarten~~
17 ~~to 3 in a private school located in the city of Milwaukee other than under s. 119.23~~
18 ~~in the previous school year.~~ If a school district has a state trust fund loan as a result
19 of s. 24.61 (3) (c) 2., the school district's debt service costs shall be based upon current
20 school year costs for the term of the loan and for one additional school year.

21 **SECTION 2135t.** 121.07 (6) (a) (intro.) of the statutes is amended to read:

22 121.07 (6) (a) "Shared cost" is the sum of the net cost of the general fund and
23 the net cost of the debt service fund, except that "shared cost" excludes any costs,
24 including attorney fees, incurred by a school district as a result of its participation
25 in a lawsuit commenced against the state, beginning with such costs incurred in the

1 fiscal year in which the lawsuit is commenced, excludes any expenditures from a
2 capital improvement fund created under s. 120.135 and excludes the costs of
3 transporting those transfer pupils for whom the school district operating under ch.
4 119 does not receive intradistrict transfer aid under s. 121.85 (6) as a result of s.
5 121.85 (6) (am). In this paragraph, “net cost of the debt service fund” includes all of
6 the following amounts:

7 **SECTION 2136.** 121.07 (7) (b) of the statutes is amended to read:

8 121.07 (7) (b) The “secondary guaranteed valuation per member” is an amount,
9 rounded to the next lower dollar, that, after subtraction of payments under ss.
10 121.09, ~~121.105,~~ and 121.85 (6) (b) 2. and 3. and (c) ~~and 121.86,~~ fully distributes an
11 amount equal to the amount remaining in the appropriation under s. 20.255 (2) (ac)
12 plus \$75,000,000 in the 1997–98 school year and \$100,000,000 in the 1998–99 school
13 year for payments under ss. 121.08 ~~and,~~ 121.105, 121.85 (6) (a) and (g) and 121.86.

14 **SECTION 2136m.** 121.08 (4) of the statutes is created to read:

15 121.08 (4) (a) The amount of state aid that a school district is eligible to be paid
16 from the appropriation under s. 20.255 (2) (ac) shall be reduced by the amount
17 determined as follows:

- 18 1. Add the amounts paid under s. 118.40 (2r) in the current school year.
- 19 2. Divide the sum under subd. 1. by the total amount of state aid that all school
20 districts are eligible to be paid from the appropriation under s. 20.255 (2) (ac),
21 calculated as if the reduction under par. (c) had not occurred.
- 22 3. Multiply the amount of state aid that the school district is eligible to be paid
23 from the appropriation under s. 20.255 (2) (ac), calculated as if the reduction under
24 par. (c) had not occurred, by the quotient under subd. 2.

1 (b) The amount of state aid that the school district operating under ch. 119 is
2 eligible to be paid from the appropriation under s. 20.255 (2) (ac) shall also be reduced
3 by 50% of the amounts paid under s. 119.23 (4) and (4m) in the current school year.

4 (c) The amount of state aid that each school district other than the school
5 district operating under ch. 119 is eligible to be paid from the appropriation under
6 s. 20.255 (2) (ac) shall also be reduced by an amount calculated as follows:

7 1. Add the amounts paid under s. 119.23 (4) and (4m) in the current school year
8 and divide the sum by 2.

9 2. Divide the result obtained under subd. 1. by the total amount of state aid that
10 all school districts other than the school district operating under ch. 119 are eligible
11 to be paid from the appropriation under s. 20.255 (2) (ac), calculated as if the
12 reduction under par. (a) had not occurred.

13 3. Multiply the amount of state aid that the school district is eligible to be paid
14 from the appropriation under s. 20.225 (2) (ac), calculated as if the reduction under
15 par. (a) had not occurred, by the quotient under subd. 2.

16 (d) The state superintendent shall ensure that the total amount of aid
17 reduction under pars. (a) to (c) lapses to the general fund.

18 **SECTION 2137.** 121.105 (2) (a) 1. of the statutes is amended to read:

19 121.105 (2) (a) 1. If a school district would receive less than 85% of the state
20 aid for the current school year in state aid in the current year than an amount equal
21 to 85% of the state aid that it received as state aid in the previous school year, its state
22 aid for the current school year shall be increased to an amount equal to 85% of the
23 state aid received in the previous school year.

24 **SECTION 2137m.** 121.105 (2) (a) 2. of the statutes is amended to read:
25

1 121.105 (2) (a) 2. If a school district would receive less in state aid in the current
2 school year than an amount equal to the aid that it received in the previous school
3 year minus \$1,000,000, its state aid for the current school year shall be increased to
4 an amount equal to the state aid that it received in the previous school year minus
5 \$1,000,000. This subdivision does not apply after the 1998–99 school year.

6 **SECTION 2138.** 121.105 (2) (a) 3. of the statutes is amended to read:

7 121.105 (2) (a) 3. A school district eligible for aid under subd. 1. and 2. in the
8 1998–99 school year shall receive the greater of the aid amounts under subd. 1. or
9 2. The additional aid shall be paid from the appropriations under s. 20.255 (2) (ac)
10 and (q).

11 **SECTION 2139.** 121.15 (3m) (a) 1. of the statutes is amended to read:

12 121.15 (3m) (a) 1. “Partial school revenues” means the sum of state school aids,
13 other than the amounts appropriated under s. 20.255 (2) (bi) and (cv), ~~and~~ property
14 taxes levied for school districts and aid paid to school districts under s. 79.095 (4),
15 less the amount of any revenue limit increase under s. 121.91 (4) (a) 2. due to a school
16 board’s increasing the services that it provides by adding responsibility for providing
17 a service transferred to it from another school board ~~and~~, less the amount of any
18 revenue limit increase under s. 121.91 (4) (a) 3. and less the amount of any revenue
19 limit increase under s. 121.91 (4) (h).

20 **SECTION 2140.** 121.15 (3m) (a) 2. of the statutes is amended to read:

21 121.15 (3m) (a) 2. “State school aids” means those aids appropriated under s.
22 20.255 (2), other than s. 20.255 (2) (~~cs~~), (fm), (fu), (k) and (m), and under ss. 20.275
23 (1) (d), (es), (et), and (f), ~~(fs) and (u)~~ and 20.285 (1) (ee), (r) and (rc) and those aids
24 appropriated under s. 20.275 (1) (s) that are used to provide grants or educational
25 telecommunications access to school districts under s. ~~196.218 (4r)~~ 44.73.

1 **SECTION 2141.** 121.15 (4) of the statutes is renumbered 121.15 (4) (b) and
2 amended to read:

3 121.15 **(4)** (b) On July 1 and October 15, using the most accurate data available,
4 the state superintendent shall provide the department of revenue and each school
5 district with an estimate of the total amount of state aid, ~~as defined in s. 121.90 (2),~~
6 the school district will receive in the current school year. On October 15, using the
7 most accurate data available, the state superintendent shall calculate the total
8 amount of state aid, ~~as defined in s. 121.90 (2),~~ that each school district will receive
9 in the current school year. Any adjustments to that calculation shall be made by
10 increasing or decreasing the payment made in September of the following school
11 year.

12 **SECTION 2142.** 121.15 (4) (a) of the statutes is created to read:

13 121.15 **(4)** (a) In this subsection, “state aid” has the meaning given in s. 121.90
14 (2) except that it excludes aid paid to school districts under s. 79.095 (4).

15 **SECTION 2142b.** 121.41 (2) of the statutes is amended to read:

16 121.41 **(2)** FEES. A school board or the technical college system board may
17 establish and collect reasonable fees for any driver education program or part of a
18 program which is neither required for nor credited toward graduation. The school
19 board or the technical college system board may waive any fee established under this
20 subsection for any indigent pupil.

21 **SECTION 2142m.** 121.54 (3) of the statutes is amended to read:

22 121.54 **(3)** TRANSPORTATION FOR CHILDREN WITH DISABILITIES. Every school board
23 shall provide transportation for children with disabilities, as defined in s. 115.76 (5),
24 to any public or private elementary or high school, to the ~~Wisconsin school for the~~
25 ~~visually handicapped~~ school operated by the Wisconsin Center for the Blind and

1 Visually Impaired or the Wisconsin school School for the deaf Deaf or to any special
2 education program for children with disabilities sponsored by a state tax-supported
3 institution of higher education, including a technical college, regardless of distance,
4 if the request for such transportation is approved by the state superintendent.
5 Approval shall be based on whether or not the child can walk to school with safety
6 and comfort. Section 121.53 shall apply to transportation provided under this
7 subsection.

8 **SECTION 2142nd.** 121.58 (5) of the statutes is amended to read:

9 121.58 (5) STATE SUPERINTENDENT APPROVAL. If the state superintendent is
10 satisfied that transportation or board and lodging was provided in compliance with
11 law, the state superintendent shall certify to the department of administration the
12 sum due the school district. The state superintendent may not certify payment of
13 state aid under sub. (2) for the number of pupils calculated under s. 121.85 (6) (am).
14 In case of differences concerning the character and sufficiency of the transportation
15 or board and lodging, the state superintendent may determine such matter and his
16 or her decision is final.

17 **SECTION 2142nm.** 121.85 (6) (a) (intro.) of the statutes is amended to read:

18 121.85 (6) (a) *Intradistrict transfer.* (intro.) The Except as provided under pars.
19 (am) and (ar), the school district of attendance of pupils transferring from one
20 attendance area to another under subs. (3) (b) and (4) shall be entitled to an amount
21 determined as follows:

22 **SECTION 2143.** 121.85 (6) (a) 2. of the statutes is amended to read:

23 121.85 (6) (a) 2. Multiply the number of transfer pupils, as counted for
24 membership purposes under s. 121.004 (7), by 0.25.

25 **SECTION 2143m.** 121.85 (6) (am) of the statutes is created to read:

1 121.85 **(6)** (am) *Reduction of intradistrict transfer aid.* The school district
2 operating under ch. 119 may not receive aid under par. (a) for the number of pupils
3 calculated as follows, if the calculation results in a positive number:

4 1. In the 2000–01 school year:

5 a. Subtract from 75% the percentage of pupils whose parents or guardians have
6 provided the board of school directors with written consent to a pupil transfer to
7 another attendance area.

8 b. Multiply the result under subd. 1. a. by the total number of transfer pupils
9 under par. (a) in the current school year.

10 2. In the 2001–02 school year:

11 a. Subtract from 80% the percentage of pupils whose parents or guardians have
12 provided the board of school directors with written consent to a pupil transfer to
13 another attendance area.

14 b. Multiply the result under subd. 2. a. by the total number of transfer pupils
15 under par. (a) in the current school year.

16 3. In the 2002–03 school year:

17 a. Subtract from 90% the percentage of pupils whose parents or guardians have
18 provided the board of school directors with written consent to a pupil transfer to
19 another attendance area.

20 b. Multiply the result under subd. 3. a. by the total number of transfer pupils
21 under par. (a) in the current school year.

22 4. In the 2003–04 school year:

23 a. Subtract from 95% the percentage of pupils whose parents or guardians have
24 provided the board of school directors with written consent to a pupil transfer to
25 another attendance area.

1 b. Multiply the result under subd. 4. a. by the total number of transfer pupils
2 under par. (a) in the current school year.

3 5. In the 2004–05 school year and each school year thereafter, the number of
4 pupils whose parents or guardians have not provided the board of school directors
5 with written consent to a pupil transfer to another attendance area.

6 **SECTION 2143p.** 121.85 (6) (ar) of the statutes is created to read:

7 121.85 **(6)** (ar) *Hold harmless.* 1. In the 1999–2000 school year, the department
8 shall pay to the school district operating under ch. 119 the greater of the following:

9 a. The amount of aid received in the 1998–99 school year under par. (a)
10 multiplied by the sum of 1.0 plus the allowable rate of increase under s. 73.0305
11 expressed as a decimal.

12 b. The amount of aid to which the school district is entitled under par. (a).

13 2. Except as provided in subd. 3., in the 2000–01 school year and in each school
14 year thereafter, the department shall pay to the school district operating under ch.
15 119 the greater of the following:

16 a. The amount of aid received in the 1998–99 school year under par. (a),
17 adjusted annually for the school years since 1998–99 by the allowable rate of increase
18 under s. 73.0305 as described under subd. 1. a., less the reduction under par. (am).

19 b. The amount of aid to which the school district is entitled under par. (a), less
20 the reduction under par. (am).

21 3. a. If one or more bonds are issued under s. 66.431 (5r), subd. 2. does not apply
22 beginning in the first fiscal year following certification by the secretary of
23 administration to the department that the last principal and interest payment on the
24 bonds has been made.

1 b. If no bonds are issued under s. 66.431 (5r) by the date specified in that
2 section, subd. 2. does not apply beginning in the first fiscal year following that date.

3 **SECTION 2144.** 121.85 (6) (b) 1. of the statutes is repealed.

4 **SECTION 2145.** 121.85 (6) (f) of the statutes is repealed.

5 **SECTION 2146g.** 121.85 (6m) of the statutes is created to read:

6 **121.85 (6m) USE OF AID FOR LEASE OR LOAN PAYMENTS.** If the board of directors
7 of the school district operating under ch. 119 leases buildings or sites from the
8 redevelopment authority of the city or borrows money from the redevelopment
9 authority of the city under s. 119.16 (3) (c), it may use intradistrict transfer aid under
10 sub. (6) to make lease payments or repay the loan. If the board of school directors
11 decides to use the aid to make lease payments or repay the loan, it may request the
12 department to remit the intradistrict transfer aid under sub. (6) to the
13 redevelopment authority of the city of Milwaukee in an annual amount agreed to by
14 the board of school directors and the department, and the department shall ensure
15 that the aid remittance does not affect the amount determined to be received by the
16 board of school directors as state aid under s. 121.08 for any other purpose.

17 **SECTION 2146r.** 121.85 (7) of the statutes is amended to read:

18 **121.85 (7) TRANSPORTATION.** Transportation shall be provided to pupils
19 transferring schools under this section if required under subch. IV. Transportation
20 for a pupil attending a public school under sub. (3) (a) outside the pupil's school
21 district of residence shall be provided pursuant to agreement between the school
22 district of residence and the school district of attendance. If either the school district
23 of residence or the school district of attendance operates a program of intradistrict
24 transfers under sub. (3) (b), that school district shall be responsible for the cost of
25 transportation. The school district may meet this responsibility either by

1 contracting directly for provision of transportation or by reimbursing another school
2 district for the cost of such a contract. Transportation for a pupil attending a public
3 school under sub. (3) (b) outside his or her attendance area of residence may be
4 provided by his or her school district. A school district providing transportation
5 under this subsection may not claim transportation aid under subch. IV for pupils
6 so transported. A school district that transports a pupil who moves outside his or her
7 attendance district during the school year to the school in the pupil's former
8 attendance district may use intradistrict transfer aid under sub. (6) to pay the costs
9 of transporting the pupil.

10 **SECTION 2146w.** 121.87 (3) of the statutes is created to read:

11 121.87 (3) In addition to the report under sub. (1), annually by May 1 the board
12 of school directors of the school district operating under ch. 119 shall submit a report
13 to the legislature under s. 13.172 (2) that specifies the number, percentage, race, sex,
14 grade and attendance area of pupils transferred outside their attendance area
15 without written consent under s. 121.85 (6) (am).

16 **SECTION 2146x.** 121.90 (1) (c) of the statutes is amended to read:

17 121.90 (1) (c) In determining a school district's revenue limit in the 2000–01
18 school year, a number equal to 20% of the summer enrollment in 1998 shall be
19 included in the number of pupils enrolled on the 3rd Friday of September 1998; a
20 number equal to 20% of the summer enrollment in 1999 shall be included in the
21 number of pupils enrolled on the 3rd Friday of September 1999; and a number equal
22 to ~~20%~~ 40% of the summer enrollment in the year 2000 shall be included in the
23 number of pupils enrolled on the 3rd Friday of September 2000.

24 **SECTION 2146y.** 121.90 (1) (d) of the statutes is repealed and recreated to read:

1 **121.90 (1) (d)** In determining a school district's revenue limit in the 2001–02
2 school year, a number equal to 20% of the summer enrollment in the year 1999 shall
3 be included in the number of pupils enrolled on the 3rd Friday of September 1999;
4 a number equal to 40% of the summer enrollment in the year 2000 shall be included
5 in the number of pupils enrolled on the 3rd Friday of September 2000; and a number
6 equal to 40% of the summer enrollment in the year 2001 shall be included in the
7 number of pupils enrolled on the 3rd Friday of September 2001.

8 **SECTION 2146ym.** 121.90 (1) (dm) of the statutes is created to read:

9 **121.90 (1) (dm)** In determining a school district's revenue limit in the 2002–03
10 school year, a number equal to 40% of the summer enrollment in the year 2000 shall
11 be included in the number of pupils enrolled on the 3rd Friday of September 2000;
12 a number equal to 40% of the summer enrollment in the year 2001 shall be included
13 in the number of pupils enrolled on the 3rd Friday of September 2001; and a number
14 equal to 40% of the summer enrollment in the year 2002 shall be included in the
15 number of pupils enrolled on the 3rd Friday of September 2002.

16 **SECTION 2146z.** 121.90 (1) (dr) of the statutes is created to read:

17 **121.90 (1) (dr)** In determining a school district's revenue limit in the 2003–04
18 school year and in each school year thereafter, a number equal to 40% of the summer
19 enrollment shall be included in the number of pupils enrolled on the 3rd Friday of
20 September of each appropriate school year.

21 **SECTION 2147.** 121.90 (1) (e) of the statutes is created to read:

22 **121.90 (1) (e)** In determining a school district's revenue limit for the 2000–01
23 school year or for any school year thereafter, the department shall calculate the
24 number of pupils enrolled in each school year prior to the 2000–01 school year as the
25 number was calculated in that school year under s. 121.85 (6) (b) 1. and (f), 1997 stats.

1 **SECTION 2148.** 121.90 (2) (intro.) of the statutes is amended to read:

2 121.90 **(2)** (intro.) “State aid” means aid under ss. 121.08, 121.09 and 121.105
3 and subch. VI, as calculated for the current school year on October 15 under s. 121.15
4 (4) and including adjustments made under s. 121.15 (4), except that “state aid”
5 excludes all of the following:

6 **SECTION 2148m.** 121.905 (1) of the statutes is amended to read:

7 121.905 **(1)** In this section, “revenue ceiling” means \$5,900 \$6,300 in the
8 ~~1997–98~~ 1999–2000 school year and in any subsequent school year means \$6,100
9 \$6,500.

10 **SECTION 2149.** 121.905 (3) (a) 1. of the statutes is amended to read:

11 121.905 **(3)** (a) 1. Except as provided under subd. 2., calculate the sum of the
12 amount of state aid received ~~under ss. 121.08 and 121.105 and subch. VI~~ in the
13 previous school year and property taxes levied for the previous school year, excluding
14 funds described under s. 121.91 (4) (c), and the costs of the county children with
15 disabilities education board program, as defined in s. 121.135 (2) (a) 2., for pupils who
16 were school district residents and solely enrolled in a special education program
17 provided by a county children with disabilities education board in the previous school
18 year.

19 **SECTION 2151.** 121.905 (4) of the statutes is renumbered 121.905 (4) (a) and
20 amended to read:

21 121.905 **(4)** (a) A school district that is exempt from the revenue limits under
22 sub. (2) may not increase its base revenue per member to an amount that is greater
23 than its revenue ceiling ~~unless that~~.

24 **(b) 1.** A school district follows may increase its revenue ceiling by following the
25 procedures prescribed in s. 121.91 (3).

1 **SECTION 2152.** 121.905 (4) (b) 2. of the statutes is created to read:

2 121.905 **(4)** (b) 2. The department shall, under s. 121.91 (4), adjust the revenue
3 ceiling otherwise applicable to a school district under this section as if the revenue
4 ceiling constituted a revenue limit under s. 121.91 (2m).

5 **SECTION 2153.** 121.91 (2m) (d) (intro.) of the statutes is amended to read:

6 121.91 **(2m)** (d) (intro.) Except as provided in subs. (3) and (4), no school district
7 may increase its revenues for the 1998–99 school year ~~or for any school year~~
8 ~~thereafter~~ to an amount that exceeds the amount calculated as follows:

9 **SECTION 2154.** 121.91 (2m) (e) of the statutes is renumbered 121.91 (2m) (r),
10 and 121.91 (2m) (r) 1. (intro.) and b. and 2., as renumbered, are amended to read:

11 121.91 **(2m)** (r) 1. (intro.) Notwithstanding pars. (c) ~~and~~ (d) and (e), if a school
12 district is created under s. 117.105, its revenue limit under this section for the school
13 year beginning with the effective date of the reorganization shall be determined as
14 follows except as provided under subs. (3) and (4):

15 b. Add \$206 an amount equal to the amount of revenue increase per pupil
16 allowed under this subsection for the previous school year multiplied by the sum of
17 1.0 plus the allowable rate of increase under s. 73.0305 expressed as a decimal to the
18 result under subd. 1. a.

19 2. If a school district is created under s. 117.105, the following adjustments to
20 the calculations under pars. (c) ~~and~~ (d) and (e) apply for the 2 school years beginning
21 on the July 1 following the effective date of the reorganization:

22 a. For the school year beginning on the first July 1 following the effective date
23 of the reorganization the number of pupils in the previous school year shall be used
24 under pars. (c) 1. ~~and~~ (d) 1. and (e) 1. instead of the average of the number of pupils
25 in the 3 previous school years, and for the school year beginning on the 2nd July 1

1 following the effective date of the reorganization the average of the number of pupils
2 in the 2 previous school years shall be used under pars. (c) 1. ~~and~~, (d) 1. and (e) 1.
3 instead of the average of the number of pupils in the 3 previous school years.

4 b. For the school year beginning on the first July 1 following the effective date
5 of the reorganization the average of the number of pupils in the current and the
6 previous school years shall be used under pars. (c) 4. ~~and~~, (d) 4. and (e) 3. instead of
7 the average of the number of pupils in the current and the 2 preceding school years.

8 **SECTION 2155.** 121.91 (2m) (e) of the statutes is created to read:

9 121.91 **(2m)** (e) Except as provided in subs. (3) and (4), no school district may
10 increase its revenues for the 1999–2000 school year or for any school year thereafter
11 to an amount that exceeds the amount calculated as follows:

12 1. Divide the sum of the amount of state aid received in the previous school year
13 and property taxes levied for the previous school year, excluding funds described
14 under sub. (4) (c), by the average of the number of pupils enrolled in the 3 previous
15 school years.

16 2. Multiply the amount of the revenue increase per pupil allowed under this
17 subsection for the previous school year by the sum of 1.0 plus the allowable rate of
18 increase under s. 73.0305 expressed as a decimal.

19 3. Add the result under subd. 1. to the result under subd. 2.

20 4. Multiply the result under subd. 3. by the average of the number of pupils
21 enrolled in the current and the 2 preceding school years.

22 **SECTION 2157.** 121.91 (3) (d) of the statutes is renumbered 121.91 (7) and
23 amended to read:

24 121.91 **(7)** If Except as provided in sub. (4) (f) 2., if an excess revenue is
25 approved under ~~this subsection~~ sub. (3) for a recurring purpose or allowed under sub.

1 ~~(4)~~, the excess revenue shall be included in the base for determining the limit for the
2 next school year for purposes of this section. If an excess revenue is approved under
3 ~~this subsection sub. (3)~~ for a nonrecurring purpose, the excess revenue shall not be
4 included in the base for determining the limit for the next school year for purposes
5 of this section.

6 **SECTION 2158.** 121.91 (4) (f) of the statutes is amended to read:

7 121.91 **(4)** (f) 1. For the ~~1998–99~~ 1999–2000 school year or any school year
8 thereafter, if the average of the number of pupils enrolled in the current and the 2
9 preceding school years, ~~as calculated under sub. (2m) (d) 4.~~, is less than the average
10 of the number of pupils enrolled in the 3 previous school years, ~~as calculated under~~
11 ~~sub. (2m) (d) 1.~~, the limit otherwise applicable under sub. (2m) ~~(d)~~ (e) is increased by
12 the additional amount that would have been calculated had the decline in average
13 enrollment been 25% of what it was.

14 2. Any additional revenue received by a school district as a result of subd. 1.
15 shall not be included in the base for determining the school district's limit under sub.
16 ~~(2m) (d)~~ (e) for the following school year.

17 **SECTION 2158m.** 121.91 (4) (h) of the statutes is created to read:

18 121.91 **(4)** (h) The limit otherwise applicable to a school district under sub. (2m)
19 in any school year is increased by an amount equal to the amount deposited into the
20 capital improvement fund under s. 120.135 in that school year.

21 **SECTION 2159.** 121.92 (title) of the statutes is amended to read:

22 **121.92 (title) Penalty for exceeding revenue ceiling or limit.**

23 **SECTION 2160.** 121.92 (1) of the statutes is amended to read:

1 121.92 (1) In this section, “excess revenue” means the amount by which a school
2 district’s revenue exceeds ~~the maximum allowed~~ its ceiling under s. 121.905 or its
3 limit under s. 121.91.

4 **SECTION 2161.** 121.92 (2) (a) of the statutes is amended to read:

5 121.92 (2) (a) Deduct from the state aid payment to a school district under s.
6 121.08 in the school year in which the school district exceeded the revenue ceiling or
7 limit an amount equal to the excess revenue for the school district or the amount of
8 those aids, whichever is less.

9 **SECTION 2162.** 121.92 (2) (b) of the statutes is amended to read:

10 121.92 (2) (b) If the amount of the deduction under par. (a) is insufficient to
11 cover the excess revenue, deduct from the other state aid payments to the school
12 district in the school year in which the school district exceeded the revenue ceiling
13 or limit an amount equal to the remaining excess revenue or the amount of those
14 payments, whichever is less.

15 **SECTION 2163.** 121.92 (2) (e) of the statutes is amended to read:

16 121.92 (2) (e) Ensure that the amount of the excess revenue is not included in
17 determining the school district’s ~~limits~~ ceiling or limit in the succeeding school year.

18 **SECTION 2164r.** 125.12 (1) (a) of the statutes is amended to read:

19 125.12 (1) (a) Except as provided in ~~par. (b)~~ this subsection, any municipality
20 or the department may revoke, suspend or refuse to renew any license or permit
21 under this chapter, as provided in this section.

22 **SECTION 2164s.** 125.12 (1) (c) of the statutes is created to read:

23 125.12 (1) (c) Neither a municipality nor the department may consider an
24 arrest or conviction for a violation punishable under s. 945.03 (2m), 945.04 (2m) or

1 945.05 (1m) in any action to revoke, suspend or refuse to renew a Class “B” or
2 “Class B” license or permit.

3 **SECTION 2165e.** 125.26 (2s) of the statutes is created to read:

4 125.26 (2s) (a) In this subsection:

5 1. “Coliseum” means a multipurpose facility designed principally for sports
6 events, with a capacity of 18,000 or more persons.

7 2. “Concessionaire” means a person designated by the owner or operator of a
8 coliseum to operate premises in the coliseum and to provide fermented malt
9 beverages to holders of coliseum suites.

10 (b) Notwithstanding s. 125.04 (3) (a) 3. and (9), a Class “B” license authorizes
11 a person operating a coliseum or a concessionaire to furnish the holder of a coliseum
12 suite who has attained the legal drinking age with a selection of fermented malt
13 beverages in the coliseum suite that is not part of the Class “B” premises. Fermented
14 malt beverages furnished under this paragraph shall be furnished in original
15 packages or containers and stored in a cabinet, refrigerator or other secure storage
16 place. The cabinet, refrigerator or other secure storage place or the coliseum suite
17 must be capable of being locked. The cabinet, refrigerator or other secure storage
18 place or the coliseum suite shall be locked, or the fermented malt beverages shall be
19 removed from the coliseum suite, when the coliseum suite is not occupied and when
20 fermented malt beverages are not being furnished under this paragraph. Fermented
21 malt beverages may be furnished at the time the holder occupies the coliseum suite,
22 but for purposes of this chapter, the sale of fermented malt beverages furnished
23 under this paragraph is considered to occur at the time and place that the holder pays
24 for the fermented malt beverages. Notwithstanding s. 125.32 (3), the holder of a
25 coliseum suite may pay for the fermented malt beverages at any time if he or she pays

1 in accordance with the terms of an agreement with the person operating the coliseum
2 or with the concessionaire. An individual who stocks or accepts payment for alcohol
3 beverages under this paragraph shall be the licensee, the agent named in the license
4 if the licensee is a corporation or limited liability company or the holder of a
5 manager's or operator's license or be supervised by one of those individuals.

6 **SECTION 2165j.** 125.51 (3) (bs) of the statutes is created to read:

7 125.51 (3) (bs) 1. In this paragraph:

8 a. "Coliseum" means a multipurpose facility designed principally for sports
9 events, with a capacity of 18,000 or more persons.

10 b. "Concessionaire" means a person designated by the owner or operator of a
11 coliseum to operate premises in the coliseum and to provide intoxicating liquor to
12 holders of coliseum suites.

13 2. Notwithstanding pars. (a) and (b) and s. 125.04 (3) (a) 3. and (9), a "Class B"
14 license authorizes a person operating a coliseum to furnish the holder of a coliseum
15 suite who has attained the legal drinking age with a selection of intoxicating liquor
16 in the coliseum suite that is not part of the "Class B" premises. Intoxicating liquor
17 furnished under this subdivision shall be furnished in original packages or
18 containers and stored in a cabinet, refrigerator or other secure storage place. The
19 cabinet, refrigerator or other secure storage place or the coliseum suite must be
20 capable of being locked. The cabinet, refrigerator or other secure storage place or the
21 coliseum suit shall be locked, or the intoxicating liquor shall be removed from the
22 coliseum suit, when the coliseum suit is not occupied and when intoxicating liquor
23 is not being furnished under this subdivision. Intoxicating liquor may be furnished
24 at the time the holder of the coliseum suite occupies the coliseum suite, but for
25 purposes of this chapter, the sale of intoxicating liquor furnished under this

1 subdivision is considered to occur at the time and place that the holder pays for the
2 intoxicating liquor. Notwithstanding s. 125.68 (4) (c), the holder of a coliseum suite
3 may pay for the intoxicating liquor at any time if he or she pays in accordance with
4 an agreement with the person operating the coliseum or with the concessionaire. An
5 individual who stocks or accepts payment for alcohol beverages under this
6 subdivision shall be the licensee, the agent named in the license if the licensee is a
7 corporation or limited liability company or the holder of a manager's or operator's
8 license or be supervised by one of those individuals.

9 **SECTION 2165L.** 125.51 (3m) (c) of the statutes is amended to read:

10 125.51 **(3m)** (c) A "Class C" license may be issued to a person qualified under
11 s. 125.04 (5) for a restaurant in which the sale of alcohol beverages accounts for less
12 than 50% of gross receipts and which does not have a barroom ~~if the municipality's~~
13 ~~quota under sub. (4) prohibits the municipality from issuing a "Class B" license to~~
14 ~~that person or for a restaurant in which the sale of alcohol beverages accounts for less~~
15 ~~than 50% of gross receipts and which has a barroom in which wine is the only~~
16 ~~intoxicating liquor sold.~~ A "Class C" license may not be issued to a foreign
17 corporation, a foreign limited liability company or a person acting as agent for or in
18 the employ of another.

19 **SECTION 2165m.** 125.51 (4) (v) 2. of the statutes is amended to read:

20 125.51 **(4)** (v) 2. A hotel that has ~~100~~ 50 or more rooms of sleeping
21 accommodations and that has either an attached restaurant with a seating capacity
22 of 150 or more persons or a banquet room in which banquets attended by 400 or more
23 persons may be held.

24 **SECTION 2165mg.** 134.48 of the statutes is created to read:

1 **134.48 Contracts for the display of free newspapers. (1) DEFINITIONS.**

2 In this section:

3 (a) “Newspaper” means a publication that is printed on newsprint and that is
4 published, printed and distributed periodically at daily, weekly or other short
5 intervals for the dissemination of current news and information of a general
6 character and of a general interest to the public.

7 (b) “Place of public accommodation” means a business, accommodation,
8 refreshment, entertainment, recreation or transportation facility where goods,
9 services, facilities, privileges, advantages or accommodations are offered, sold or
10 otherwise made available to the public.

11 **(2)** A contract for the display of a newspaper that is distributed free of charge
12 to the public in a place of public accommodation may not prohibit the person
13 displaying the newspaper for distribution from displaying any other newspaper that
14 is distributed free of charge to the public. A provision in a contract that violates this
15 subsection is unenforceable, but does not affect the enforceability of the remaining
16 provisions of the contract.

17 **SECTION 2165mr.** 134.66 (2) (a) of the statutes is amended to read:

18 134.66 **(2)** (a) No retailer, manufacturer, distributor, jobber or subjobber, no
19 agent, employe or independent contractor of a retailer, manufacturer, distributor,
20 jobber or subjobber and no agent or employe of an independent contractor may sell
21 or provide for nominal or no consideration cigarettes or tobacco products to any
22 person under the age of 18, except as provided in s. ~~938.983 (3)~~ 254.92 (2) (a). A
23 vending machine operator is not liable under this paragraph for the purchase of
24 cigarettes or tobacco products from his or her vending machine by a person under the
25 age of 18 if the vending machine operator was unaware of the purchase.

1 **SECTION 2165n.** 134.66 (2) (b) 1. of the statutes is amended to read:

2 134.66 **(2)** (b) 1. A retailer shall post a sign in areas within his or her premises
3 where cigarettes or tobacco products are sold to consumers stating that the sale of
4 any cigarette or tobacco product to a person under the age of 18 is unlawful under
5 this section and s. ~~938.983~~ 254.92.

6 **SECTION 2165p.** 134.66 (2) (b) 2. of the statutes is amended to read:

7 134.66 **(2)** (b) 2. A vending machine operator shall attach a notice in a
8 conspicuous place on the front of his or her vending machines stating that the
9 purchase of any cigarette or tobacco product by a person under the age of 18 is
10 unlawful under s. ~~938.983~~ 254.92 and that the purchaser is subject to a forfeiture of
11 not to exceed \$25.

12 **SECTION 2165rx.** 134.73 of the statutes is created to read:

13 **134.73 Identification of prisoner making telephone solicitation. (1)**

14 DEFINITIONS. In this section:

15 (a) “Contribution” has the meaning given in s. 440.41 (5).

16 (b) “Prisoner” means a prisoner of any public or private correctional or
17 detention facility that is located within or outside this state.

18 (c) “Solicit” has the meaning given in s. 440.41 (8).

19 (d) “Telephone solicitation” means the unsolicited initiation of a telephone
20 conversation for any of the following purposes:

21 1. To encourage a person to purchase property, goods or services.

22 2. To solicit a contribution from a person.

23 3. To conduct an opinion poll or survey.

24 **(2) REQUIREMENTS.** A prisoner who makes a telephone solicitation shall do all
25 of the following immediately after the person called answers the telephone:

1 (a) Identify himself or herself by name.

2 (b) State that he or she is a prisoner.

3 (c) Inform the person called of the name of the correctional or detention facility
4 in which he or she is a prisoner and the city and state in which the facility is located.

5 **(3) TERRITORIAL APPLICATION.** (a) *Intrastate.* This section applies to any
6 intrastate telephone solicitation.

7 (b) *Interstate.* This section applies to any interstate telephone solicitation
8 received by a person in this state.

9 **(4) PENALTIES.** (a) A prisoner who violates this section may be required to forfeit
10 not more than \$500.

11 (b) If a person who employs a prisoner to engage in telephone solicitation is
12 concerned in the commission of a violation of this section as provided under s. 134.99,
13 the person may be required to forfeit not more than \$10,000.

14 **SECTION 2165rz.** 134.95 (2) of the statutes is amended to read:

15 134.95 **(2) SUPPLEMENTAL FORFEITURE.** If a fine or a forfeiture is imposed on a
16 person for a violation under s. 100.171, 100.173, 100.174, 100.175, 100.177, 134.71,
17 134.72, 134.73 or 134.87 or ch. 136 or a rule promulgated under these sections or that
18 chapter, the person shall be subject to a supplemental forfeiture not to exceed
19 \$10,000 for that violation if the conduct by the defendant, for which the fine or
20 forfeiture was imposed, was perpetrated against an elderly person or disabled person
21 and if any of the factors under s. 100.264 (2) (a), (b) or (c) is present.

22 **SECTION 2166e.** 135.02 (3) of the statutes is renumbered 135.02 (3) (intro.) and
23 amended to read:

24 135.02 **(3)** (intro.) “Dealership” means a any of the following:

1 (a) A contract or agreement, either expressed or implied, whether oral or
2 written, between 2 or more persons, by which a person is granted the right to sell or
3 distribute goods or services, or use a trade name, trademark, service mark, logotype,
4 advertising or other commercial symbol, in which there is a community of interest
5 in the business of offering, selling or distributing goods or services at wholesale,
6 retail, by lease, agreement or otherwise.

7 **SECTION 2166m.** 135.02 (3) (b) of the statutes is created to read:

8 135.02 (3) (b) A contract or agreement, either expressed or implied, whether
9 oral or written, between 2 or more persons by which a wholesaler, as defined in s.
10 125.02 (21), is granted the right to sell or distribute intoxicating liquor, as defined
11 in s. 125.02 (8), or use a trade name, trademark, service mark, logotype, advertising
12 or other commercial symbol related to intoxicating liquor. This paragraph does not
13 apply to dealerships described in s. 135.066 (5) (a) and (b).

14 **SECTION 2166s.** 135.066 of the statutes is created to read:

15 **135.066 Intoxicating liquor dealerships. (1) LEGISLATIVE FINDINGS.** The
16 legislature finds that a balanced and healthy 3-tier system for distributing
17 intoxicating liquor is in the best interest of this state and its citizens; that the 3-tier
18 system for distributing intoxicating liquor has existed since the 1930's; that a
19 balanced and healthy 3-tier system ensures a level system between the
20 manufacturer and wholesale tiers; that a wholesale tier consisting of numerous
21 healthy competitors is necessary for a balanced and healthy 3-tier system; that the
22 number of intoxicating liquor wholesalers in this state is in significant decline; that
23 this decline threatens the health and stability of the wholesale tier; that the
24 regulation of all intoxicating liquor dealerships, regardless of when they were
25 entered into, is necessary to promote and maintain a wholesale tier consisting of

1 numerous healthy competitors; and that the maintenance and promotion of the
2 3-tier system will promote the public health, safety and welfare. The legislature
3 further finds that a stable and healthy wholesale tier provides an efficient and
4 effective means for tax collection. The legislature further finds that dealerships
5 between intoxicating liquor wholesalers and manufacturers have been subject to
6 state regulation since the enactment of the 21st Amendment to the U.S. Constitution
7 and that the parties to those dealerships expect changes to state legislation
8 regarding those dealerships.

9 **(2) DEFINITIONS.** In this section:

10 (a) “Intoxicating liquor” has the meaning given in s. 125.02 (8).

11 (b) “Net revenues” means the gross dollar amount received from the sale of
12 intoxicating liquor minus adjustments for returns, discounts and allowances.

13 (c) “Wholesaler” has the meaning given in s. 125.02 (21).

14 (d) “Wine” has the meaning given in 125.02 (22).

15 **(3) LIABILITY OF TRANSFEREE OF INTOXICATING LIQUOR GRANTOR.** (a) In this
16 subsection:

17 1. “Goodwill” includes the use of a trademark, trade name, logotype or other
18 commercial symbol, and the use of a variation of a trademark, trade name, logotype,
19 advertisement or other commercial symbol.

20 2. “Transferee” means a person who acquires any asset or activity of a grantor’s
21 intoxicating liquor business and who uses the goodwill associated with the
22 intoxicating liquor of the grantor.

23 (b) A transferee shall be bound by each of the grantor’s dealerships with the
24 grantor’s wholesalers and consequently shall be considered a grantor for purposes
25 of, and shall comply with, the requirements of this chapter.

1 **(4) CHANGE IN OWNERSHIP.** (a) In this subsection, “successor wholesaler” means
2 a wholesaler who succeeds to the management, ownership or control of a wholesaler
3 or wholesaler’s business or any part of a wholesaler’s business by any means
4 including by stock purchase, sale of assets or transfer or assignment of a brand of
5 intoxicating liquor that is the subject of a dealership agreement.

6 (b) A change in the management, ownership or control of a wholesaler, a
7 wholesaler’s business or any part of a wholesaler’s business is not good cause for a
8 grantor to terminate, cancel, fail to renew or substantially change the competitive
9 circumstances of its dealership with a successor wholesaler if the successor
10 wholesaler meets the grantor’s reasonable and material qualifications for
11 wholesaler applicants in effect at the time of the change. If the successor wholesaler
12 meets the grantor’s reasonable and material qualifications for wholesaler applicants
13 in effect at the time of the change, the successor wholesaler shall succeed to the
14 dealership rights of the predecessor wholesaler and the grantor shall continue to be
15 bound by the dealership.

16 **(5) NONAPPLICABILITY.** This section does not apply to any of the following
17 dealerships:

18 (a) Dealerships in which a grantor, including any affiliate, division or
19 subsidiary of the grantor, has never produced more than 200,000 gallons of
20 intoxicating liquor in any year.

21 (b) Dealerships in which the dealer’s net revenues from the sale of all of the
22 grantor’s brands of intoxicating liquor, except wine, constitute less than 5% of the
23 dealer’s total net revenues from the sale of intoxicating liquor, except wine, during
24 the dealer’s most recent fiscal year preceding a grantor’s cancellation or alteration
25 of a dealership and the dealer’s net revenues from the sale of all of the grantor’s

1 brands of wine constitute less than 5% of the dealer's total net revenues from the sale
2 of wine during the dealer's most recent fiscal year preceding a grantor's cancellation
3 or alteration of a dealership.

4 **(6) SEVERABILITY.** The provisions of this section are severable as provided in s.
5 990.001 (11).

6 **SECTION 2166t.** 138.052 (5) (am) 2. a. of the statutes is amended to read:

7 138.052 **(5)** (am) 2. a. On January 1, 1994, and annually thereafter, the
8 division of banking for banks, the division of savings and loan institutions for savings
9 and loan associations and savings banks and the office of credit unions for credit
10 unions shall determine the interest rate that is the average of the interest rates paid,
11 rounded to the nearest one-hundredth of a percent, on regular passbook deposit
12 accounts by institutions under the division's or office's jurisdiction at the close of the
13 last quarterly reporting period that ended at least 30 days before the determination
14 is made.

15 **SECTION 2167a.** 138.052 (5) (am) 2. b. of the statutes is amended to read:

16 138.052 **(5)** (am) 2. b. The office of credit unions and the division of banking
17 shall report the rate calculated to the division of savings and loan institutions within
18 5 days after the date on which the determination is made. The division of savings
19 and loan institutions shall calculate the average, rounded to the nearest
20 one-hundredth of a percent, of the 3 rates and report that interest rate to the revisor
21 of statutes within 5 days after the date on which the determination is made.

22 **SECTION 2168a.** 138.055 (4) (a) of the statutes is amended to read:

23 138.055 **(4)** (a) The division of savings and loan institutions, if the lender is a
24 savings and loan association or savings bank;

25 **SECTION 2169a.** 138.056 (1) (a) 4. a. of the statutes is amended to read:

1 138.056 (1) (a) 4. a. The division of savings and loan institutions, if the lender
2 is a savings and loan association or savings bank;

3 **SECTION 2169g.** 138.056 (1) (b) of the statutes is amended to read:

4 138.056 (1) (b) “Dwelling” includes a cooperative housing unit and a mobile
5 home, as defined in s. ~~218.10 (2)~~ 101.91 (2e).

6 **SECTION 2169m.** 138.056 (1) (c) of the statutes is amended to read:

7 138.056 (1) (c) “Mobile home transaction” means a consumer credit sale, as
8 defined in s. 421.301 (9), of or a consumer loan, as defined in s. 421.301 (12), secured
9 by a first lien or equivalent security interest in a mobile home, as defined in s. ~~218.10~~
10 ~~(2)~~ 101.91 (2e).

11 **SECTION 2169pc.** 138.09 (1m) (b) 1. (intro.) of the statutes is amended to read:

12 138.09 (1m) (b) 1. (intro.) ~~–An~~ Except as provided in par. (c), an application
13 under par. (a) for a license shall contain the following:

14 **SECTION 2169pf.** 138.09 (1m) (c) of the statutes is created to read:

15 138.09 (1m) (c) 1. If an applicant who is an individual does not have a social
16 security number, the applicant, as a condition of applying for or applying to renew
17 a license, shall submit a statement made or subscribed under oath or affirmation to
18 the division that the applicant does not have a social security number. The form of
19 the statement shall be prescribed by the department of workforce development.

20 2. Notwithstanding sub. (3) (b), any license issued or renewed in reliance upon
21 a false statement submitted by an applicant under subd. 1. is invalid.

22 **SECTION 2169pm.** 138.09 (3) (am) 1. of the statutes is amended to read:

23 138.09 (3) (am) 1. The applicant fails to provide the any information required
24 under sub. (1m) (b).

25 **SECTION 2169r.** 138.09 (7) (jm) 1. b. of the statutes is amended to read:

1 138.09 (7) (jm) 1. b. The loan administration fee is charged for a consumer loan
2 that is secured primarily by an interest in real property or in a mobile home, as
3 defined in s. ~~218.10 (2)~~ 101.91 (2e).

4 **SECTION 2170d.** 138.12 (3) (d) 1. (intro.) of the statutes is amended to read:

5 138.12 (3) (d) 1. (intro.) ~~An~~ Except as provided in par. (e), an application for
6 a license under this section shall contain the following:

7 **SECTION 2170g.** 138.12 (3) (e) of the statutes is created to read:

8 138.12 (3) (e) 1. If an applicant who is an individual does not have a social
9 security number, the applicant, as a condition of applying for or applying to renew
10 a license under this section, shall submit a statement made or subscribed under oath
11 or affirmation to the division that the applicant does not have a social security
12 number. The form of the statement shall be prescribed by the department of
13 workforce development.

14 2. Any license issued or renewed in reliance upon a false statement submitted
15 by an applicant under subd. 1. is invalid.

16 **SECTION 2170h.** 138.12 (5) (a) of the statutes is amended to read:

17 138.12 (5) (a) The ~~commissioner~~ division may revoke or suspend the license of
18 any insurance premium finance company if the ~~commissioner~~ division finds that any
19 of the following:

- 20 1. Any license issued to such company was obtained by fraud,_;
- 21 2. There was any misrepresentation in the application for the license,_;
- 22 3. The holder of such license has otherwise shown himself or herself
23 untrustworthy or incompetent to act as a premium finance company,_;
- 24 4. ~~Such~~ The company has violated any provision of this section, ~~or,~~

1 5. ~~Such~~ The company has been rebating part of the service charge as allowed
2 and permitted herein to any insurance agent or insurance broker or any employe of
3 an insurance agent or insurance broker or to any other person as an inducement to
4 the financing of any insurance policy with the premium finance company.

5 **SECTION 2170n.** 138.12 (5) (am) 1. c. of the statutes is amended to read:

6 138.12 (5) (am) 1. c. In the case of a licensee who is an individual, the applicant
7 ~~fails to provide his or her social security number,~~ fails to comply, after appropriate
8 notice, with a subpoena or warrant that is issued by the department of workforce
9 development or a county child support agency under s. 59.53 (5) and that is related
10 to paternity or child support proceedings or the applicant is delinquent in making
11 court-ordered payments of child or family support, maintenance, birth expenses,
12 medical expenses or other expenses related to the support of a child or former spouse,
13 as provided in a memorandum of understanding entered into under s. 49.857. An
14 applicant whose renewal application is denied under this subd. 1. c. is entitled to a
15 notice and hearing under s. 49.857 but is not entitled to a hearing under par. (b).

16 **SECTION 2170s.** 139.03 (5) (b) of the statutes is renumbered 139.03 (5) (b) 1. and
17 amended to read:

18 139.03 (5) (b) 1. ~~Any~~ Except as provided in subd. 2., any person, except an
19 underage person as defined under s. 125.02 (20m), who leaves a foreign country, after
20 spending at least 48 hours in that foreign country, with the purpose of entering this
21 state may have in that person's possession and bring into the state intoxicating
22 liquor or wine in sealed original containers in amounts not to exceed, in the
23 aggregate, 4 liters without payment of the tax imposed under this subchapter. The
24 4 liters of tax-free intoxicating liquor and wines may not be sent, shipped or carried

1 into the state other than in the immediate possession of the person as qualified by
2 this subsection.

3 **SECTION 2170t.** 139.03 (5) (b) 2. of the statutes is created to read:

4 139.03 (5) (b) 2. A person who is a member of the national guard, the U. S.
5 armed forces or a reserve component of the U. S. armed forces; who is a state resident;
6 and who leaves a foreign country, after spending at least 48 hours in that foreign
7 country on duty or for training, with the purpose of entering into this state may bring
8 into the state, in sealed original containers and in the person's immediate possession,
9 intoxicating liquor and wine in an aggregate amount not exceeding 16 liters without
10 paying the tax imposed under this subchapter on that amount.

11 **SECTION 2171.** 139.30 (5) of the statutes is amended to read:

12 139.30 (5) "Indian tribe" means a federally recognized American Indian tribe
13 or band in this state.

14 **SECTION 2171m.** 139.30 (13m) of the statutes is created to read:

15 139.30 (13m) "Trust lands" means any lands in this state held in trust by the
16 U. S. government for the benefit of a tribe or a member of a tribe.

17 **SECTION 2171p.** 139.32 (5) of the statutes is amended to read:

18 139.32 (5) Manufacturers and distributors having a permit from the secretary
19 shall receive a discount of ~~1.6%~~ 2% of the tax.

20 **SECTION 2173.** 139.75 (4d) of the statutes is created to read:

21 139.75 (4d) "Enrolled member" has the meaning given in s. 139.30 (4).

22 **SECTION 2174.** 139.75 (4p) of the statutes is created to read:

23 139.75 (4p) "Indian tribe" has the meaning given in s. 139.30 (5).

24 **SECTION 2175.** 139.75 (6m) of the statutes is created to read:

25 139.75 (6m) "Reservation" has the meaning given in s. 139.30 (9).

1 **SECTION 2175m.** 139.75 (12m) of the statutes is created to read:

2 139.75 (**12m**) “Trust lands” has the meaning given in s. 139.30 (13m).

3 **SECTION 2176.** 139.76 (1) of the statutes is amended to read:

4 139.76 (**1**) An ~~occupational~~ excise tax is imposed upon the sale, offering or
5 exposing for sale, possession with intent to sell or removal for consumption or sale
6 or other disposition for any purpose of tobacco products by any person engaged as a
7 distributor of them at the rate of 20% of the manufacturer’s established list price to
8 distributors without diminution by volume or other discounts on domestic products.
9 On products imported from another country the rate of tax is 20% of the amount
10 obtained by adding the manufacturer’s list price to the federal tax, duties and
11 transportation costs to the United States. The tax attaches at the time the tobacco
12 products are received by the distributor in this state. The tax shall be passed on to
13 the ultimate consumer of the tobacco products. All tobacco products received in this
14 state for sale or distribution within this state, except tobacco products actually sold
15 as provided in sub. (2), shall be subject to such tax.

16 **SECTION 2177.** 139.76 (2) of the statutes is amended to read:

17 139.76 (**2**) Tobacco products sold to or by post exchanges of the U.S. armed
18 forces, to or by federally or state–operated veterans hospitals in this state, and
19 tobacco products sold to an interstate carrier of passengers for hire to be resold to
20 bona fide passengers actually being transported and tobacco products sold for
21 shipment outside this state in interstate commerce are not subject to the tax. ~~The~~
22 ~~tax imposed by sub. (1) and s. 139.78 shall not apply with respect to any tobacco~~
23 ~~products which under the constitution and laws of the United States may not be~~
24 ~~taxed by this state.~~

25 **SECTION 2178.** 139.803 of the statutes is created to read:

1 **139.803 Refunds to Indian tribes.** The department may refund 70% of the
2 taxes collected under s. 139.76 (1) in respect to sales on reservations or trust lands
3 of an Indian tribe to the tribal council of the tribe having jurisdiction over the
4 reservation or trust land on which the sale is made only if all of the following
5 conditions are fulfilled:

6 **(1)** The tribal council has filed a claim for the refund with the department.

7 **(2)** The tribal council has approved the retailer.

8 **(3)** The land on which the sale occurred was designated a reservation or trust
9 land on or before January 1, 1983.

10 **(4)** The tobacco products were not delivered by the retailer to the buyer by
11 means of a common carrier, a contract carrier or the U.S. postal service.

12 **(5)** The retailer has not sold the tobacco products to another retailer or to a
13 subjobber.

14 **SECTION 2179.** 139.805 of the statutes is created to read:

15 **139.805 Agreements with Indian tribes.** The department may enter into
16 agreements with Indian tribes to provide for the refunding of the tobacco products
17 tax imposed under s. 139.76 (1). If the department enters into an agreement with
18 an Indian tribe, the agreement may provide for refunding 100% of that tax on tobacco
19 products sold on the tribal reservation to enrolled members of the tribe residing on
20 the tribal reservation and may provide for refunding not more than 50% of that tax
21 on tobacco products sold on the tribal reservation to persons who are not enrolled
22 members of the tribe residing on the tribal reservation.

23 **SECTION 2180.** 139.82 (7) of the statutes is created to read:

24 **139.82 (7)** The department may inspect the business records of any retailer
25 doing business on a reservation or on an Indian tribe's trust land.

1 **SECTION 2181.** 139.82 (8) of the statutes is created to read:

2 139.82 **(8)** Each distributor shall collect and remit the excise tax imposed by
3 s. 139.76 (1) on tobacco products not exempt from the tobacco products tax under s.
4 139.76 (2), with the reports required to be filed under this section.

5 **SECTION 2182.** 139.85 (1) of the statutes is amended to read:

6 139.85 **(1)** The interest and penalties under s. 139.44 (2) to (7) and (9) to (12)
7 apply to this subchapter. In addition, a person who violates s. 139.82 (8) shall be fined
8 not less than \$1,000 nor more than \$5,000 or imprisoned for not less than 90 days
9 nor more than one year or both.

10 **SECTION 2216m.** 145.245 (4) (a) of the statutes is amended to read:

11 145.245 **(4)** (a) The discharge of sewage into a surface water determined to be
12 outstanding resource water by the department of natural resources by rule or into
13 groundwater.

14 **SECTION 2217m.** 145.245 (4) (c) of the statutes is amended to read:

15 145.245 **(4)** (c) The discharge of sewage to a drain tile or into zones of bedrock
16 or a surface water other than a surface water described in par. (a).

17 **SECTION 2219m.** 145.245 (4m) (a) to (c) of the statutes are amended to read:

18 145.245 **(4m)** (a) Category 1: failing private sewage systems described in sub.
19 (4) (a) ~~to~~ (e).

20 (b) Category 2: failing private sewage systems described in sub. (4) ~~(d)~~ (b) and
21 (c).

22 (c) Category 3: failing private sewage systems described in sub. (4) ~~(e)~~ (d).

23 **SECTION 2219p.** 145.245 (4m) (d) of the statutes is created to read:

24 145.245 **(4m)** (d) Category 4: failing private sewage systems described in sub.
25 (4) (e).

1 **SECTION 2220.** 145.245 (5) (a) 1. of the statutes is amended to read:

2 145.245 (5) (a) 1. A person is eligible for grant funds under this section if he or
3 she owns a principal residence which is served by a category 1 or 2 failing private
4 sewage system, if the ~~residence was constructed prior to and inhabited on~~ private
5 sewage system was installed before July 1, 1978, if the family income of the person
6 does not exceed the income limitations under par. (c), if the amount of the grant
7 determined under sub. (7) is at least \$100, if the residence is not located in an area
8 served by a sewer and if determination of failure is made prior to the rehabilitation
9 or replacement of the failing private sewage system.

10 **SECTION 2221m.** 145.245 (5) (a) 1. of the statutes, as affected by 1999 Wisconsin
11 Act (this act), is amended to read:

12 145.245 (5) (a) 1. A person is eligible for grant funds under this section if he or
13 she owns a principal residence which is served by a category 1 ~~or~~ 2 or 3 failing private
14 sewage system, if the sewage system was installed before July 1, 1978, if the family
15 income of the person does not exceed the income limitations under par. (c), if the
16 amount of the grant determined under sub. (7) is at least \$100, if the residence is not
17 located in an area served by a sewer and if determination of failure is made prior to
18 the rehabilitation or replacement of the failing private sewage system.

19 **SECTION 2222.** 145.245 (5) (a) 2. of the statutes is amended to read:

20 145.245 (5) (a) 2. A business is eligible for grant funds under this section if it
21 owns a small commercial establishment which is served by a category 1 or 2 failing
22 private sewage system, if the ~~small commercial establishment was constructed prior~~
23 ~~to~~ private sewage system was installed before July 1, 1978, if the gross revenue of
24 the business does not exceed the limitation under par. (d), if the small commercial
25 establishment is not located in an area served by a sewer and if a determination of

1 failure is made prior to the rehabilitation or replacement of the private sewage
2 system.

3 **SECTION 2223m.** 145.245 (5) (a) 2. of the statutes, as affected by 1999 Wisconsin
4 Act (this act), is amended to read:

5 145.245 (5) (a) 2. A business is eligible for grant funds under this section if it
6 owns a small commercial establishment which is served by a category 1 ~~or~~ 2 or 3
7 failing private sewage system, if the private sewage system was installed before
8 July 1, 1978, if the gross revenue of the business does not exceed the limitation under
9 par. (d), if the small commercial establishment is not located in an area served by a
10 sewer and if a determination of failure is made prior to the rehabilitation or
11 replacement of the private sewage system.

12 **SECTION 2224m.** 145.245 (5) (a) 3. of the statutes is amended to read:

13 145.245 (5) (a) 3. A person who owns a principal residence or small commercial
14 establishment which is served by a category 1 ~~or~~ 2 or 3 failing private sewage system
15 may submit an application for grant funds during the 3-year period after the
16 determination of failure is made. Grant funds may be awarded after work is
17 completed if rehabilitation or replacement of the system meets all requirements of
18 this section and rules promulgated under this section.

19 **SECTION 2225.** 145.245 (5) (c) 2. of the statutes is amended to read:

20 145.245 (5) (c) 2. Except as provided under subd. 4., annual family income shall
21 be based upon the federal adjusted gross income of the owner and the owner's spouse,
22 if any, as computed for ~~Wisconsin income tax purposes~~ for the taxable year prior to
23 the year in which the determination of failure is made. ~~The county median income~~
24 ~~shall be determined based upon the most recent statistics published by the federal~~

1 department of housing and urban development for the year prior to the year in which
2 the determination of failure is made.

3 **SECTION 2226.** 145.245 (5) (c) 3. of the statutes is amended to read:

4 145.245 (5) (c) 3. In order to be eligible for grant funds under this section, a
5 person shall submit a copy of the designated federal income tax returns for the
6 taxable year prior to the year in which the determination of failure is upon which the
7 determination of federal adjusted gross income under subd. 2. was made together
8 with any application required by the governmental unit. For taxable year 1985 and
9 earlier, the person shall submit a copy of his or her individual or combined Wisconsin
10 income tax return. For taxable year 1986 and thereafter, the person shall submit a
11 copy of his or her joint Wisconsin income tax return or, if filing separately, his or her
12 separate Wisconsin income tax return and the separate Wisconsin income tax return
13 of his or her spouse, if any.

14 **SECTION 2227.** 145.245 (5) (c) 4. of the statutes is amended to read:

15 145.245 (5) (c) 4. A governmental unit may disregard the Wisconsin federal
16 income tax return for the taxable year prior to the year in which the determination
17 of failure is made that is submitted under subd. 3. and may determine annual family
18 income based upon satisfactory evidence of federal adjusted gross income or
19 projected taxable federal adjusted gross income of the owner and the owner's spouse
20 in the current year. The department shall promulgate rules establishing criteria for
21 determining what constitutes satisfactory evidence of federal adjusted gross income
22 or projected federal adjusted gross income in a current year.

23 **SECTION 2228m.** 145.245 (5m) (a) of the statutes is amended to read:

24 145.245 (5m) (a) The department or a governmental unit shall deny a grant
25 application under this section if the applicant or a person who would be directly

1 benefited by the grant intentionally caused the conditions which resulted in a
2 category 1 ~~or~~ 2 or 3 failing private sewage system. The department or governmental
3 unit shall notify the applicant in writing of a denial, including the reason for the
4 denial.

5 **SECTION 2229.** 145.245 (5m) (b) of the statutes is amended to read:

6 145.245 (5m) (b) The department shall notify a governmental unit if it receives
7 ~~a certification under s. 49.855 (7) that an individual is delinquent in child support~~
8 ~~or maintenance payments or owes past support, medical expenses or birth expenses~~
9 an individual's name appears on the statewide support lien docket under s. 49.854
10 (2) (b). The department or a governmental unit shall deny an application under this
11 section if the department receives a certification under s. 49.855 (7) that name of the
12 applicant or an individual who would be directly benefited by the grant is delinquent
13 in child support or maintenance payments or owes past support, medical expenses
14 or birth expenses appears on the statewide support lien docket under s. 49.854 (2)
15 (b), unless the applicant or individual who would be benefited by the grant provides
16 to the department or governmental unit a payment agreement that has been
17 approved by the county child support agency under s. 59.53 (5) and that is consistent
18 with rules promulgated under s. 49.858 (2) (a).

19 **SECTION 2231m.** 145.245 (7) (d) of the statutes is amended to read:

20 145.245 (7) (d) Except as provided in par. (e), if the income of a person who owns
21 a principal residence that is served by a category 1 ~~or~~ 2 or 3 failing private sewage
22 system is greater than \$32,000, the amount of the grant under this section is limited
23 to the amount determined under par. (c) less 30% of the amount by which the person's
24 income exceeds \$32,000.

25 **SECTION 2236r.** 145.245 (11m) (am) of the statutes is created to read:

1 145.245 **(11m)** (am) Except as provided in par. (d), if funds are sufficient to fully
2 fund all category 1 and 2 failing private sewage systems but not all category 3 failing
3 private sewage systems, the department shall fully fund all category 1 and 2 systems
4 and prorate the funds for category 3 systems on a proportional basis.

5 **SECTION 2237g.** 145.245 (11m) (b) of the statutes is amended to read:

6 145.245 **(11m)** (b) Except as provided in par. (d), if funds are sufficient to fully
7 fund all category 1 but not all category 2 failing private sewage systems, the
8 department shall fully fund all category 1 systems and, prorate the funds for category
9 2 systems on a proportional basis and deny the grant applications for all category 3
10 systems.

11 **SECTION 2237i.** 145.245 (11m) (c) of the statutes is amended to read:

12 145.245 **(11m)** (c) Except as provided in par. (d), if funds are not sufficient to
13 fully fund all category 1 failing private sewage systems, the department shall fund
14 the category 1 systems on a proportional basis and deny the grant applications for
15 all category 2 and 3 systems.

16 **SECTION 2238.** 145.245 (12m) of the statutes is created to read:

17 145.245 **(12m)** LOANS TO GOVERNMENTAL UNITS. (a) A governmental unit to
18 which the department allocates funds under sub. (11) for a fiscal year may apply to
19 the department for a loan under this subsection if the department prorates funds
20 under sub. (11m) for that fiscal year. A governmental unit may only use a loan under
21 this subsection to increase the amounts of grants to persons eligible under sub. (5)
22 above the amounts that would be provided without a loan under this subsection or
23 to provide grants to persons eligible under sub. (5) who would otherwise not receive
24 grants, because of the operation of sub. (11m) (c), but the total amount provided to
25 a person under this section may not exceed the amount authorized under sub (7).

1 (b) A loan under this subsection bears no interest. A loan under this subsection
2 may not exceed the difference between the amount of the grant that the
3 governmental unit would have received if the department had not prorated grants
4 under sub. (11) and the amount of the grant that the governmental unit did receive.
5 If the amount available for loans under s. 20.320 (3) (q) in a fiscal year is not sufficient
6 to provide loans to all eligible governmental units applying for loans, the department
7 shall allocate the available funds in the same manner as in sub. (11) (c).

8 (c) A loan approved under this subsection shall be for no longer than 20 years,
9 as determined by the department of administration, and be fully amortized not later
10 than 20 years after the original date of the note.

11 (d) As a condition of receiving a loan under this subsection an applicant shall
12 do all of the following:

13 1. Pledge the security, if any, required by the department of administration
14 under this subsection.

15 2. Demonstrate to the satisfaction of the department of administration the
16 financial capacity to assure sufficient revenues to repay the loan.

17 (e) The department of commerce and the department of administration may
18 enter into a financial assistance agreement with a governmental unit that applies
19 for a loan under this subsection and meets the eligibility requirements for a loan,
20 including the requirements under par. (d).

21 (f) The department of administration, in consultation with the department of
22 commerce, may establish those terms and conditions of a financial assistance
23 agreement that relate to its financial management, including what type of municipal
24 obligation is required for the repayment of the financial assistance. In setting the
25 terms and conditions, the department of administration may consider factors that

1 the department of administration finds are relevant, including the type of obligation
2 evidencing the loan, the pledge of security for the obligation and the applicant's
3 creditworthiness.

4 (g) The department of administration shall make and disburse a loan to an
5 applicant that has entered into a financial assistance agreement under par. (e). The
6 department of administration, in consultation with the department of commerce,
7 shall establish procedures for disbursing loans.

8 (h) If a governmental unit fails to make a principal repayment after its due
9 date, the department of administration shall place on file a certified statement of all
10 amounts due under this subsection. After consulting the department of commerce,
11 the department of administration may collect all amounts due by deducting those
12 amounts from any state payments due the governmental unit or may add a special
13 charge to the amount of taxes apportioned to and levied upon the county under s.
14 70.60. If the department of administration collects amounts due, it shall remit those
15 amounts to the fund to which they are due and notify the department of commerce
16 of that action.

17 **SECTION 2240r.** 146.185 of the statutes is created to read:

18 **146.185 Minority health. (1)** In this section:

19 (a) "African American" means a person whose ancestors originated in any of the
20 black racial groups of Africa.

21 (b) "American Indian" means a person who is enrolled as a member of a
22 federally recognized American Indian tribe or band or who possesses documentation
23 of at least one-fourth American Indian ancestry or documentation of tribal
24 recognition as an American Indian.

1 (c) “Asian” means a person whose ancestors originated in Asia south and
2 southeast of the Himalayas and west of Wallace’s Line in the Malay Archipelago.

3 (d) “Economically disadvantaged” means having an income that is at or below
4 125% of the poverty line.

5 (e) “Hispanic” means a person of any race whose ancestors originated in
6 Mexico, Puerto Rico, Cuba, Central America or South America or whose culture or
7 origin is Spanish.

8 (f) “Minority group member” means any of the following:

- 9 1. An African American.
- 10 2. An American Indian.
- 11 3. A Hispanic.
- 12 4. An Asian.

13 (g) “Nonprofit corporation” means a nonstock corporation organized under ch.
14 181 that is a nonprofit corporation, as defined in s. 181.0103 (17).

15 (h) “Poverty line” means the nonfarm federal poverty line for the continental
16 United States, as defined by the federal department of labor under 42 USC 9902 (2).

17 (i) “State agency” has the meaning given in s. 16.70 (1).

18 **(2)** The department shall do all of the following:

19 (a) Identify the barriers to health care that prevent economically
20 disadvantaged minority group members in this state from participating fully and
21 equally in all aspects of life.

22 (b) Conduct statewide hearings on issues of concern to the health interests of
23 economically disadvantaged minority group members.

1 (c) Review, monitor and advise all state agencies with respect to the impact on
2 the health of economically disadvantaged minority group members of current and
3 emerging state policies, procedures, practices, statutes and rules.

4 (d) Work closely with all state agencies, including the board of regents of the
5 University of Wisconsin System and the technical college system board, with the
6 University of Wisconsin Hospitals and Clinics Authority, with the private sector and
7 with groups concerned with issues of the health of economically disadvantaged
8 minority group members to develop long-term solutions to health problems of
9 minority group members.

10 (e) Disseminate information on the status of the health of economically
11 disadvantaged minority group members in this state.

12 (f) Encourage economically disadvantaged minority group members who are
13 students to enter career health care professions, by developing materials that are
14 culturally sensitive and appropriate and that promote health care professions as
15 careers, for use by the University of Wisconsin System, the technical college system
16 and the Medical College of Wisconsin in recruiting the students.

17 (g) Submit a biennial report on the activities of the department under this
18 section that includes recommendations on program policies, procedures, practices
19 and services affecting the health status of economically disadvantaged minority
20 group members, to the appropriate standing committees under s. 13.172 (3) and to
21 the governor.

22 **(3)** From the appropriation under s. 20.435 (5) (fh), the department shall award
23 grants for activities to improve the health status of economically disadvantaged
24 minority group members. A person may apply, in the manner specified by the
25 department, for a grant of up to \$50,000 in each fiscal year to conduct these activities.

1 A grant awarded under this subsection may not exceed 50% of the cost of the
2 activities. An applicant's required contribution for a grant may consist of funding or
3 an in-kind contribution.

4 **(4)** From the appropriation under s. 20.435 (5) (fh), the department shall award
5 a grant of up to \$100,000 in each fiscal year to a private nonprofit corporation that
6 applies, in the manner specified by the department, to conduct a public information
7 campaign on minority health.

8 **SECTION 2241.** 146.19 (2) (intro.) of the statutes is amended to read:

9 **146.19 (2) COOPERATIVE AMERICAN INDIAN HEALTH PROJECT GRANTS.** (intro.) From
10 the appropriation under s. 20.435 (5) (~~ek~~) (ke), the department shall award grants
11 for cooperative American Indian health projects in order to promote cooperation
12 among tribes, tribal agencies, inter-tribal organizations and other agencies and
13 organizations in addressing specific problem areas in the field of American Indian
14 health. A tribe, tribal agency or inter-tribal organization may apply, in the manner
15 specified by the department, for a grant of up to \$10,000 to conduct a cooperative
16 American Indian health project, which meets all of the following requirements:

17 **SECTION 2241c.** 146.19 (2m) of the statutes is created to read:

18 **146.19 (2m) GRANTS TO TRIBAL HEALTH CENTERS.** Subject to 1999 Wisconsin Act
19 (this act), section 9123 (6tu), from the appropriation under s. 20.435 (5) (ke), the
20 department shall award grants for the provision or purchase of health care services
21 for tribal members and their families to tribal health care entities that provide
22 primary health care, health education and social services to tribal members and
23 their families and to tribal employees. The department shall establish by rule criteria
24 for distributing grants to the health care entities. In developing the criteria, the

1 department shall consider each tribe's financial need, resources available to each
2 tribe and other demographic health status indicators.

3 **SECTION 2249m.** 146.40 (4d) (a) of the statutes is amended to read:

4 146.40 **(4d)** (a) The Except as provided in par. (am), the department shall
5 require each applicant to provide the department with his or her social security
6 number, if the applicant is an individual, or the applicant's federal employer
7 identification number, if the applicant is not an individual, as a condition of issuing
8 a certification under sub. (3) or an approval under sub. (3m).

9 **SECTION 2249mi.** 146.40 (4d) (am) of the statutes is created to read:

10 146.40 **(4d)** (am) If an individual who applies for a certification or approval
11 under par. (a) does not have a social security number, the individual, as a condition
12 of obtaining certification or approval, shall submit a statement made or subscribed
13 under oath or affirmation to the department that the applicant does not have a social
14 security number. The form of the statement shall be prescribed by the department
15 of workforce development. A certification or approval issued in reliance upon a false
16 statement submitted under this paragraph is invalid.

17 **SECTION 2249n.** 146.40 (4d) (c) of the statutes is amended to read:

18 146.40 **(4d)** (c) The Except as provided in par. (am), the department shall deny
19 an application for the issuance of a certification or approval specified in par. (a) if the
20 applicant does not provide the information specified in par. (a).

21 **SECTION 2249p.** 146.51 (1) (intro.) of the statutes is amended to read:

22 146.51 **(1)** (intro.) The Except as provided in sub. (1m), the department shall
23 require each applicant to provide the department with the applicant's social security
24 number, if the applicant is an individual, as a condition of issuing or renewing any
25 of the following:

1 **SECTION 2249q.** 146.51 (1m) of the statutes is created to read:

2 146.51 **(1m)** If an individual who applies for or to renew a license, training
3 permit or certification under sub. (1) does not have a social security number, the
4 individual, as a condition of obtaining the license, training permit or certification,
5 shall submit a statement made or subscribed under oath or affirmation to the
6 department that the applicant does not have a social security number. The form of
7 the statement shall be prescribed by the department of workforce development. A
8 license, training permit or certification issued or renewed in reliance upon a false
9 statement submitted under this subsection is invalid.

10 **SECTION 2249r.** 146.52 (1) (intro.) of the statutes is amended to read:

11 146.52 **(1)** (intro.) The Except as provided in sub. (1m), the department shall
12 require each applicant to provide the department with his or her social security
13 number, if the applicant is an individual, or the applicant's federal employer
14 identification number, if the applicant is not an individual, as a condition of issuing
15 or renewing any of the following:

16 **SECTION 2249s.** 146.52 (1m) of the statutes is created to read:

17 146.52 **(1m)** If an individual who applies for or to renew a license, training
18 permit or certificate under sub. (1) does not have a social security number, the
19 individual, as a condition of obtaining the license, training permit or certificate, shall
20 submit a statement made or subscribed under oath or affirmation to the department
21 that the applicant does not have a social security number. The form of the statement
22 shall be prescribed by the department of workforce development. A license, training
23 permit or certificate issued or renewed in reliance upon a false statement submitted
24 under this subsection is invalid.

25 **SECTION 2249t.** 146.52 (3) of the statutes is amended to read:

1 146.52 (3) The Except as provided in sub. (1m), the department shall deny an
2 application for the issuance or renewal of a license, certificate or permit specified in
3 sub. (1) if the applicant does not provide the information specified in sub. (1).

4 **SECTION 2251.** 146.56 (1) of the statutes is amended to read:

5 146.56 (1) Not later than July 1, ~~2001~~ 2002, the department shall develop and
6 implement a statewide trauma care system. The department shall seek the advice
7 of the statewide trauma advisory council under s. 15.197 (25) in developing and
8 implementing the system.

9 **SECTION 2251d.** 146.57 (title) of the statutes is amended to read:

10 **146.57 (title) Statewide poison control program system.**

11 **SECTION 2251e.** 146.57 (1m) of the statutes is created to read:

12 146.57 (1m) DEFINITIONS. In this section:

13 (a) “Appropriate health-oriented background” means one of the following:

14 1. Licensure as an emergency medical technician — basic, emergency medical
15 technician — intermediate or emergency medical technician — paramedic under s.
16 146.50 (5) (a).

17 2. Licensure as a licensed practical nurse under s. 441.10 (3).

18 3. Completion of a training program directed by a physician specializing in
19 toxicology and, as determined by the medical director of a poison control center,
20 background sufficient to understand and interpret standard poison information
21 resources and to transmit that information understandably to both health
22 professionals and the public under the direct supervision of a staff member specified
23 under sub. (3m) (b) 1. to 7. or the medical director.

1 (b) “On–line staff member” means a member of the staff of a poison control
2 center who personally responds to telephone inquiries received by the poison control
3 center.

4 (c) “Pharmacist” has the meaning given in s. 450.01 (15).

5 (d) “Physician” has the meaning given in s. 448.01 (5).

6 (e) “Poison control services” means poison prevention education, and rapid and
7 accurate poison interpretation, poison intervention and management information.

8 (f) “Registered nurse” means a nurse who is licensed under s. 441.06.

9 (g) “School of pharmacy” means a school of pharmacy that is accredited by the
10 American Council on Pharmaceutical Education.

11 **SECTION 2251f.** 146.57 (3) (a) of the statutes is amended to read:

12 146.57 (3) (a) The department shall implement a statewide poison control
13 program system, which shall provide poison control services that are available
14 statewide, on a 24–hour per day and 365–day per year basis and shall provide poison
15 information and education to health care professionals and the public. From the
16 appropriation under s. 20.435 (5) (ds), the department shall, if the requirement
17 under par. (b) is met, distribute total funding of not more than \$375,000 in each fiscal
18 year to supplement the operation of the program system and to provide for the
19 statewide collection and reporting of poison control data. The department may, but
20 need not, distribute all of the funds in each fiscal year to a single poison control
21 center.

22 **SECTION 2251g.** 146.57 (3m) of the statutes is created to read:

23 146.57 (3m) REQUIREMENTS OF POISON CONTROL CENTERS. (a) A poison control
24 center shall maintain telephone services capable of providing rapid, accurate and

1 complete poison information that is accessible throughout the state and that is free
2 to users through a statewide toll-free hotline.

3 (b) An on-line staff member who interprets poison exposure data and provides
4 poison intervention and management information shall be one of the following:

5 1. A registered nurse.

6 2. A pharmacist.

7 3. A physician.

8 4. A person who is certified by or eligible for certification by the American
9 Association of Poison Control Centers as a specialist in poison information.

10 5. A school of pharmacy graduate who is in residency training.

11 6. A school of pharmacy enrollee who has completed the 2nd professional
12 practice year.

13 7. A person who was employed as an on-line staff member on May 1, 1994, who
14 has worked in that capacity at the poison control center for at least 3 years and who
15 annually receives at least 16 documented hours of continuing education in
16 interpreting poison exposure data and providing poison intervention and
17 management information.

18 8. A person who is designated as a poison information provider, annually
19 receives at least 16 documented hours of job-relevant continuing education and has
20 an appropriate health-oriented background.

21 **SECTION 2252m.** 146.81 (1) (eq) of the statutes is created to read:

22 146.81 (1) (eq) An athletic trainer licensed under subch. VI of ch. 448.

23 **SECTION 2253gm.** 146.819 (4) (e) of the statutes is repealed.

24 **SECTION 2253r.** 146.84 (3) of the statutes is amended to read:

1 146.84 (3) DISCIPLINE OF EMPLOYEES. Any person employed by the state, or any
2 political subdivision of the state who violates s. 146.82 or 146.83, except a health care
3 provider that negligently violates s. 153.50 (6) (c). may be discharged or suspended
4 without pay.

5 **SECTION 2254.** 146.93 (1) (a) of the statutes is amended to read:

6 146.93 (1) (a) From the appropriation under s. 20.435 (1) (4) (gp), the
7 department shall maintain a program for the provision of primary health care
8 services based on the primary health care program in existence on June 30, 1987.
9 The department may promulgate rules necessary to implement the program.

10 **SECTION 2255.** 146.99 of the statutes is amended to read:

11 **146.99 Assessments.** The department shall, within 90 days after the
12 commencement of each fiscal year, ~~estimate the total amount of expenditures and the~~
13 ~~department shall assess the estimated total amount under s. 20.435 (1) (gp) to~~
14 hospitals, as defined in s. 50.33 (2), a total of \$1,500,000, in proportion to each
15 hospital's respective gross private-pay patient revenues during the hospital's most
16 recently concluded entire fiscal year. Each hospital shall pay its assessment on or
17 before December 1 for the fiscal year. All payments of assessments shall be deposited
18 in the appropriation under s. 20.435 (1) (4) (gp).

19 **SECTION 2255m.** 149.10 (3e) of the statutes is created to read:

20 149.10 (3e) "Fund" means the health insurance risk-sharing plan fund.

21 **SECTION 2256.** 149.12 (2) (d) of the statutes is renumbered 149.12 (2) (d) 1. and
22 amended to read:

23 149.12 (2) (d) 1. ~~Except for a person who is an eligible individual as provided~~
24 in subd. 2., no person who is 65 years of age or older is eligible for coverage under the
25 plan.

1 **SECTION 2257.** 149.12 (2) (d) 2. of the statutes is created to read:

2 149.12 **(2)** (d) 2. Subdivision 1. does not apply to any of the following:

3 a. A person who is an eligible individual.

4 b. A person who has coverage under the plan on the date on which he or she
5 attains the age of 65 years.

6 **SECTION 2258.** 149.12 (3) (b) of the statutes is amended to read:

7 149.12 **(3)** (b) Persons for whom deductible or coinsurance amounts are paid
8 or reimbursed under ch. 47 for vocational rehabilitation, under s. 49.68 for renal
9 disease, under s. 49.685 (8) for hemophilia, under s. 49.683 for cystic fibrosis ~~or,~~
10 under s. 253.05 for maternal and child health services or under s. 49.686 for the cost
11 of drugs for the treatment of HIV infection or AIDS are not ineligible for coverage
12 under the plan by reason of such payments or reimbursements.

13 **SECTION 2258d.** 149.125 of the statutes is repealed.

14 **SECTION 2258f.** 149.14 (2) (a) of the statutes is amended to read:

15 149.14 **(2)** (a) The plan shall provide every eligible person who is not eligible
16 for medicare with major medical expense coverage. Major medical expense coverage
17 offered under the plan under this section shall pay an eligible person's covered
18 expenses, subject to sub. (3) and deductible, copayment and coinsurance payments
19 authorized under sub. (5), up to a lifetime limit of \$1,000,000 per covered individual.
20 The maximum limit under this paragraph shall not be altered by the board, and no
21 actuarially equivalent benefit may be substituted by the board.

22 **SECTION 2259.** 149.14 (3) (intro.) of the statutes is amended to read:

23 149.14 **(3)** COVERED EXPENSES. (intro.) Except as provided in sub. (4), except
24 as restricted by cost containment provisions under s. 149.17 (4) and except as
25 reduced by the board under s. 149.15 (3) (e) or by the department under s. ~~ss.~~ 149.143

1 or and 149.144, covered expenses for the coverage under this section shall be the
2 ~~usual and customary charges~~ payment rates established by the department under
3 s. 149.142 for the services provided by persons licensed under ch. 446 and certified
4 under s. 49.45 (2) (a) 11. Except as provided in sub. (4), except as restricted by cost
5 containment provisions under s. 149.17 (4) and except as reduced by the ~~board under~~
6 ~~s. 149.15 (3) (e) or by the department under s. ss. 149.143 or and~~ 149.144, covered
7 expenses for the coverage under this section shall also be the ~~usual and customary~~
8 ~~charges~~ payment rates established by the department under s. 149.142 for the
9 following services and articles if the service or article is prescribed by a physician
10 who is licensed under ch. 448 or in another state and who is certified under s. 49.45
11 (2) (a) 11. and if the service or article is provided by a provider certified under s. 49.45
12 (2) (a) 11.:

13 **SECTION 2259f.** 149.14 (3) (d) of the statutes is amended to read:

14 149.14 (3) (d) Drugs requiring a physician's prescription, subject to sub. (4c).

15 **SECTION 2259r.** 149.14 (4) (d) of the statutes is amended to read:

16 149.14 (4) (d) That part of any charge for services or articles rendered or
17 prescribed by a physician, dentist or other health care personnel ~~which~~ that exceeds
18 the ~~prevailing charge in the locality where the service is provided~~ payment rate
19 established by the department under s. 149.142 and reduced under ss. 149.143 and
20 149.144 or any charge not medically necessary.

21 **SECTION 2260.** 149.14 (4) (g) of the statutes is amended to read:

22 149.14 (4) (g) Dental care except as provided in sub. (3) (m) and (q).

23 **SECTION 2260c.** 149.14 (4) (n) of the statutes is created to read:

24 149.14 (4) (n) Services or drugs for the treatment of infertility, impotence or
25 sterility.

1 **SECTION 2260d.** 149.14 (4c) of the statutes is created to read:

2 149.14 **(4c)** COVERAGE OF PRESCRIPTION DRUGS. (a) The department may require
3 a pharmacist or pharmacy that provides a prescription drug to an eligible person to
4 submit a payment claim directly to the plan administrator.

5 (b) The department may limit coverage of prescription drugs under sub. (3) (d)
6 to those prescription drugs for which payment claims are submitted by pharmacists
7 or pharmacies directly to the plan administrator.

8 **SECTION 2260h.** 149.14 (4m) of the statutes is amended to read:

9 149.14 **(4m)** PAYMENT IS PAYMENT IN FULL. Except for copayments, coinsurance
10 or deductibles required or authorized under the plan, a provider of a covered service
11 or article shall accept as payment in full for the covered service or article the payment
12 rate determined under ss. 149.142, 149.143, and 149.144 and ~~149.15 (3) (e)~~ and may
13 not bill an eligible person who receives the service or article for any amount by which
14 the charge for the service or article is reduced under s. 149.142, 149.143, or 149.144
15 ~~or 149.15 (3) (e)~~.

16 **SECTION 2260m.** 149.14 (5) (title) of the statutes is amended to read:

17 149.14 **(5)** (title) DEDUCTIBLES, COPAYMENTS AND COINSURANCE.

18 **SECTION 2260p.** 149.14 (5) (e) of the statutes is created to read:

19 149.14 **(5)** (e) Subject to sub. (8) (b), the department may, by rule under s. 149.17
20 (4), establish copayments for prescription drug coverage under sub. (3) (d). Any
21 copayment amounts or rates established are subject to the approval of the board.
22 Copayments paid by an eligible person under this paragraph shall count toward the
23 deductible and covered costs not paid by the plan under pars. (a) to (c).

24 **SECTION 2261.** 149.14 (6) (title) of the statutes is created to read:

25 149.14 **(6)** (title) PREEXISTING CONDITIONS.

1 **SECTION 2261f.** 149.14 (8) of the statutes is created to read:

2 149.14 **(8)** APPLICABILITY OF MEDICAL ASSISTANCE PROVISIONS. (a) Except as
3 provided in par. (b), the department may, by rule under s. 149.17 (4), apply to the plan
4 the same utilization and cost control procedures that apply under rules promulgated
5 by the department to medical assistance under subch. IV of ch. 49.

6 (b) The department may not apply to eligible persons for covered services or
7 articles the same copayments that apply to recipients of medical assistance under
8 subch. IV of ch. 49 for services or articles covered under that program.

9 **SECTION 2261j.** 149.142 of the statutes is created to read:

10 **149.142 Provider payment rates. (1)** (a) Except as provided in par. (b), the
11 department shall establish payment rates for covered expenses that consist of the
12 allowable charges paid under s. 49.46 (2) for the services and articles provided plus
13 an enhancement determined by the department. The rates shall be based on the
14 allowable charges paid under s. 49.46 (2), projected plan costs and trend factors.
15 Using the same methodology that applies to medical assistance under subch. IV of
16 ch. 49, the department shall establish hospital outpatient per visit reimbursement
17 rates and hospital inpatient reimbursement rates that are specific to diagnostically
18 related groups of eligible persons.

19 (b) The payment rate for a prescription drug shall be the allowable charge paid
20 under s. 49.46 (2) (b) 6. h. for the prescription drug.

21 **(2)** The rates established under this section are subject to adjustment under
22 ss. 149.143 and 149.144.

23 **SECTION 2261m.** 149.143 (1) (intro.) of the statutes is amended to read:

24 149.143 **(1)** (intro.) The department shall pay or recover the operating costs of
25 the plan from the appropriation under s. 20.435 (4) (v) and administrative costs of

1 the plan from the appropriation under s. 20.435 (4) (u). For purposes of determining
2 premiums, insurer assessments and provider payment rate adjustments, the
3 department shall apportion and prioritize responsibility for payment or recovery of
4 plan costs from among the moneys constituting the fund as follows:

5 **SECTION 2262b.** 149.143 (1) (a) of the statutes is amended to read:

6 149.143 (1) (a) First from the moneys transferred to the fund from the
7 appropriation account under s. 20.435 (5) (4) (af).

8 **SECTION 2263b.** 149.143 (1) (b) 1. a. of the statutes is amended to read:

9 149.143 (1) (b) 1. a. First, from premiums from eligible persons with coverage
10 under s. 149.14 set at 150% of the rate that a standard risk would be charged under
11 an individual policy providing substantially the same coverage and deductibles as
12 are provided under the plan, including amounts received for premium and deductible
13 subsidies under s. 149.144 and under the transfer to the fund from the appropriation
14 account under ~~ss.~~ s. 20.435 (5) (4) (ah) ~~and 149.144~~, and from premiums collected
15 from eligible persons with coverage under s. 149.146 set in accordance with s.
16 149.146 (2) (b).

17 **SECTION 2263bm.** 149.143 (1) (b) 1. b. of the statutes is amended to read:

18 149.143 (1) (b) 1. b. Second, from ~~the appropriation under s. 20.435 (5) (gh)~~
19 moneys specified under sub. (2m), to the extent that the amounts under subd. 1. a.
20 are insufficient to pay 60% of plan costs.

21 **SECTION 2263bn.** 149.143 (1) (b) 1. c. of the statutes is amended to read:

22 149.143 (1) (b) 1. c. Third, by increasing premiums from eligible persons with
23 coverage under s. 149.14 to more than 150% but not more than 200% of the rate that
24 a standard risk would be charged under an individual policy providing substantially
25 the same coverage and deductibles as are provided under the plan, including

1 amounts received for premium and deductible subsidies under s. 149.144 and under
2 the transfer to the fund from the appropriation account under ss. s. 20.435 (5) (4) (ah)
3 ~~and 149.144~~, and by increasing premiums from eligible persons with coverage under
4 s. 149.146 in accordance with s. 149.146 (2) (b), to the extent that the amounts under
5 subd. 1. a. and b. are insufficient to pay 60% of plan costs.

6 **SECTION 2263bp.** 149.143 (1) (b) 1. d. of the statutes is amended to read:

7 149.143 (1) (b) 1. d. Fourth, notwithstanding subd. 2., by increasing insurer
8 assessments, excluding assessments under s. 149.144, and adjusting provider
9 payment rates, excluding adjustments to those rates under ~~ss. s. 149.144 and 149.15~~
10 ~~(3) (e)~~, in equal proportions and to the extent that the amounts under subd. 1. a. to
11 c. are insufficient to pay 60% of plan costs.

12 **SECTION 2264e.** 149.143 (1) (b) 2. b. of the statutes is amended to read:

13 149.143 (1) (b) 2. b. Fifty percent from adjustments to provider payment rates,
14 excluding adjustments to those rates under ~~ss. s. 149.144 and 149.15 (3) (e)~~.

15 **SECTION 2265b.** 149.143 (2) (a) 1. a. of the statutes is amended to read:

16 149.143 (2) (a) 1. a. Estimate the amount of enrollee premiums that would be
17 received in the new plan year if the enrollee premiums were set at a level sufficient,
18 when including amounts received for premium and deductible subsidies under s.
19 149.144 and under the transfer to the fund from the appropriation account under ss.
20 s. 20.435 (5) (4) (ah) and 149.144 and from premiums collected from eligible persons
21 with coverage under s. 149.146 set in accordance with s. 149.146 (2) (b), to cover 60%
22 of the estimated plan costs for the new plan year, after deducting from the estimated
23 plan costs the amount available ~~in~~ for transfer to the fund from the appropriation
24 account under s. 20.435 (5) (4) (af) for that plan year.

25 **SECTION 2265bm.** 149.143 (2) (a) 1. c. of the statutes is repealed.

1 **SECTION 2266g.** 149.143 (2m) of the statutes is created to read:

2 149.143 **(2m)** (a) The department shall keep a separate accounting of the
3 difference between the following:

4 1. The amount of premiums received in a plan year from all eligible persons,
5 including amounts received for premium and deductible subsidies.

6 2. The amount of premiums, including amounts received for premium and
7 deductible subsidies, necessary to cover 60% of the plan costs for the plan year, after
8 deducting the amount transferred to the fund from the appropriation account under
9 s. 20.435 (4) (af).

10 (b) Any amount by which the amount under par. (a) 1. exceeds the amount
11 under par. (a) 2. may be used only as follows:

12 1. To reduce premiums in succeeding plan years as provided in sub. (1) (b) 1.
13 b. For eligible persons with coverage under s. 149.14, premiums may not be reduced
14 below 150% of the rate that a standard risk would be charged under an individual
15 policy providing substantially the same coverage and deductibles as are provided
16 under the plan.

17 2. For other needs of eligible persons, with the approval of the board.

18 **SECTION 2267j.** 149.143 (3) (b) of the statutes is amended to read:

19 149.143 **(3)** (b) ~~If, after increasing~~ the department increases premium rates
20 and insurer assessments and ~~adjusting~~ adjusts the provider payment rate under par.
21 (a), ~~the department~~ and determines that there will still be a deficit and that premium
22 rates have been increased to the maximum extent allowable under par. (a), the
23 department ~~shall~~ may further adjust, in equal proportions, assessments set under
24 sub. (2) (a) 3. and the provider payment rate set under sub. (2) (a) 4., without regard
25 to sub. (1) (b) 2.

1 **SECTION 2267m.** 149.143 (5) of the statutes is created to read:

2 149.143 (5) (a) Annually, no later than April 30, the department shall perform
3 a reconciliation with respect to plan costs, premiums, insurer assessments and
4 provider payment rate adjustments based on data from the previous calendar year.
5 On the basis of the reconciliation, the department shall make any necessary
6 adjustments in premiums, insurer assessments or provider payment rates for the
7 fiscal year beginning on the first July 1 after the reconciliation, as provided in sub.
8 (2) (b).

9 (b) Except as provided in sub. (3) (b) and s. 149.144, the department shall adjust
10 the provider payment rates to meet the providers' specified portion of the plan costs
11 no more than once annually. The department may not determine the adjustment on
12 an individual provider basis or on the basis of provider type, but shall determine the
13 adjustment for all providers in the aggregate.

14 **SECTION 2267r.** 149.144 of the statutes is amended to read:

15 **149.144 Adjustments to insurer assessments and provider payment**
16 **rates for premium and deductible reductions.** If the moneys transferred to the
17 fund under the appropriation under s. 20.435 (5) (4) (ah) are insufficient to reimburse
18 the plan for premium reductions under s. 149.165 and deductible reductions under
19 s. 149.14 (5) (a), or the department determines that the moneys transferred or to be
20 transferred to the fund under the appropriation under s. 20.435 (5) (4) (ah) will be
21 insufficient to reimburse the plan for premium reductions under s. 149.165 and
22 deductible reductions under s. 149.14 (5) (a), the department shall may, by rule,
23 adjust in equal proportions the amount of the assessment set under s. 149.143 (2) (a)
24 3. and the provider payment rate set under s. 149.143 (2) (a) 4., subject to s. 149.143
25 (1) (b) 1., sufficient to reimburse the plan for premium reductions under s. 149.165

1 and deductible reductions under s. 149.14 (5) (a). The If the department makes the
2 adjustment under this section, the department shall notify the commissioner so that
3 the commissioner may levy any increase in insurer assessments.

4 **SECTION 2268m.** 149.145 of the statutes is amended to read:

5 **149.145 Program budget.** The department, in consultation with the board,
6 shall establish a program budget for each plan year. The program budget shall be
7 based on the provider payment rates specified in s. 149.15 (3) (e) 149.142 and in the
8 most recent provider contracts that are in effect and on the funding sources specified
9 in s. 149.143 (1), including the methodologies specified in ss. 149.143, 149.144 and
10 149.146 for determining premium rates, insurer assessments and provider payment
11 rates. Except as otherwise provided in s. 149.143 (3) (a) and (b), from the program
12 budget the department shall derive the actual provider payment rate for a plan year
13 that reflects the providers' proportional share of the plan costs, consistent with ss.
14 149.143 and 149.144. The department may not implement a program budget
15 established under this section unless it is approved by the board.

16 **SECTION 2269.** 149.146 (1) (a) of the statutes is amended to read:

17 149.146 (1) (a) Beginning on January 1, 1998, in addition to the coverage
18 required under s. 149.14, the plan shall offer to all eligible persons who are not
19 eligible for medicare a choice of coverage, as described in section 2744 (a) (1) (C), P.L.
20 104–191. Any such choice of coverage shall be major medical expense coverage.

21 **SECTION 2270.** 149.146 (1) (b) 2. of the statutes is amended to read:

22 149.146 (1) (b) 2. An eligible person under par. (a) may elect once each year, at
23 the time and according to procedures established by the department, among the
24 coverages offered under this section and s. 149.14. If an eligible person elects new
25 coverage, any preexisting condition exclusion imposed under the new coverage is met

1 to the extent that the eligible person has been previously and continuously covered
2 under this chapter. No preexisting condition exclusion may be imposed on an eligible
3 person who elects new coverage if the person was an eligible individual when first
4 covered under this chapter and the person remained continuously covered under this
5 chapter up to the time of electing the new coverage.

6 **SECTION 2271.** 149.146 (2) (am) of the statutes is created to read:

7 149.146 (2) (am) 1. For all eligible persons with coverage under this section,
8 the deductible shall be \$2,500. Expenses used to satisfy the deductible during the
9 last 90 days of a calendar year shall also be applied to satisfy the deductible for the
10 following calendar year.

11 2. Except as provided in subd. 3., if the covered costs incurred by the eligible
12 person exceed the deductible for major medical expense coverage in a calendar year,
13 the plan shall pay at least 80% of any additional covered costs incurred by the person
14 during the calendar year.

15 3. If the aggregate of the covered costs not paid by the plan under subd. 2. and
16 the deductible exceeds \$3,500 for any eligible person during a calendar year or \$7,000
17 for all eligible persons in a family, the plan shall pay 100% of all covered costs
18 incurred by the eligible person during the calendar year after the payment ceilings
19 under this subdivision are exceeded.

20 4. Notwithstanding subds. 1. to 3., the department may establish different
21 deductible amounts, a different coinsurance percentage and different covered costs
22 and deductible aggregate amounts from those specified in subds. 1. to 3. in
23 accordance with cost containment provisions established by the department under
24 s. 149.17 (4).

25 **SECTION 2276m.** 149.15 (3) (e) of the statutes is repealed.

1 **SECTION 2277c.** 149.15 (3) (g) of the statutes is created to read:

2 149.15 **(3)** (g) Establish oversight committees to address various
3 administrative issues, such as financial management of the plan and plan
4 administrator performance standards. A representative of the department may not
5 be the chairperson of any committee established under this paragraph.

6 **SECTION 2277d.** 149.16 (4) of the statutes is created to read:

7 149.16 **(4)** The plan administrator shall account for costs related to the plan
8 separately from costs related to medical assistance under subch. IV of ch. 49.

9 **SECTION 2277f.** 149.16 (5) of the statutes is created to read:

10 149.16 **(5)** The department shall obtain the approval of the board before
11 implementing any contract with the plan administrator.

12 **SECTION 2277m.** 149.165 (2) (intro.) of the statutes is amended to read:

13 149.165 **(2)** (intro.) If Subject to sub. (3m), if the household income, as defined
14 in s. 71.52 (5) and as determined under sub. (3), of an eligible person is equal to or
15 greater than the first amount and less than the 2nd amount listed in any of the
16 following, the department shall reduce the premium for the eligible person to the rate
17 shown after the amounts:

18 **SECTION 2277p.** 149.165 (2) (e) of the statutes is created to read:

19 149.165 **(2)** (e) If equal to or greater than \$20,000 and less than \$25,000, to
20 130% of the rate that a standard risk would be charged under an individual policy
21 providing substantially the same coverage and deductibles as provided under the
22 plan.

23 **SECTION 2277t.** 149.165 (3m) of the statutes is created to read:

24 149.165 **(3m)** Upon request of the board, the joint committee on finance may
25 approve or disapprove adjustment, by the board or the department, of the household

1 income dollar amounts listed in sub. (2) (a) to (e), except for the first dollar amount
2 listed in sub. (2) (a), to reflect changes in the consumer price index for all urban
3 consumers, U.S. city average, as determined by the U.S. department of labor. With
4 any request for approval of adjustment under this subsection, the board shall submit
5 to the joint committee on finance the proposed adjusted amounts.

6 **SECTION 2278b.** 149.165 (4) of the statutes is amended to read:

7 149.165 (4) The department shall reimburse the plan for premium reductions
8 under sub. (2) and deductible reductions under s. 149.14 (5) (a) with moneys
9 transferred to the fund from the appropriation account under s. 20.435 (5) (4) (ah).

10 **SECTION 2278c.** 149.17 (2) of the statutes is amended to read:

11 149.17 (2) A schedule of premiums, deductibles, copayments and coinsurance
12 payments which that complies with all requirements of this chapter.

13 **SECTION 2278g.** 149.17 (4) of the statutes is amended to read:

14 149.17 (4) Cost containment provisions established by the department by rule,
15 including managed care requirements. The department shall obtain the approval of
16 the board before promulgating a rule that establishes a cost containment provision
17 that would have an effect on an eligible person's access to health care services, such
18 as the creation of new prior authorization requirements.

19 **SECTION 2278r.** 150.46 (3) of the statutes is created to read:

20 150.46 (3) This subchapter does not apply to the nursing care facility operated
21 by the department of veterans affairs under s. 45.385.

22 **SECTION 2278rm.** 150.84 (2) of the statutes is amended to read:

23 150.84 (2) "Health care facility" means a facility, as defined in s. 647.01 (4), or
24 any hospital, nursing home, community-based residential facility, county home,
25 county infirmary, county hospital, county mental health center, ~~tuberculosis~~

1 sanatorium or other place licensed or approved by the department under s. 49.70,
2 49.71, 49.72, 50.02, 50.03, 50.35, 51.08, or 51.09, ~~58.06, 252.073 or 252.076~~ or a
3 facility under s. 45.365, 51.05, 51.06, 233.40, 233.41, 233.42 or 252.10.

4 **SECTION 2280.** 153.05 (6m) of the statutes is amended to read:

5 153.05 **(6m)** The department may contract with the group insurance board for
6 the provision of data collection and analysis services related to health maintenance
7 organizations and insurance companies that provide health insurance for state
8 employees. The department shall establish contract fees for the provision of the
9 services. All moneys collected under this subsection shall be credited to the
10 appropriation under s. 20.435 ~~(4)~~ (4) (hg).

11 **SECTION 2280b.** 153.45 (1) (b) of the statutes is renumbered 153.45 (1) (b) 1.
12 and amended to read:

13 153.45 **(1)** (b) 1. ~~Public~~ For information that is submitted by hospitals or
14 ambulatory surgery centers, public use data files which that do not permit the
15 identification of specific patients, employers or health care providers, as defined by
16 rules promulgated by the department. The identification of ~~these groups~~ patients,
17 employers or health care providers shall be protected by all necessary means,
18 including the deletion of patient identifiers and the use of calculated variables and
19 aggregated variables.

20 **SECTION 2280c.** 153.45 (1) (b) 2. of the statutes is created to read:

21 153.45 **(1)** (b) 2. For information that is submitted by health care providers
22 other than hospitals or ambulatory surgery centers, public use data files that do not
23 permit the identification of specific patients, employers or health care providers, as
24 defined by rules promulgated by the department. The identification of patients,
25 employers or health care providers shall be protected by all necessary means,

1 including the deletion of patient identifiers; the use of calculated variables and
2 aggregated variables; the specification of counties as to residence, rather than zip
3 codes; the use of 5-year categories for age, rather than exact age; not releasing
4 information concerning a patient's race or ethnicity or dates of admission, discharge,
5 procedures or visits; and masking sensitive diagnoses and procedures by use of
6 larger diagnostic and procedure categories. Public use data files under this
7 subdivision may include only the following:

- 8 a. The patient's county of residence.
- 9 b. The payment source, by type.
- 10 c. The patient's age category, by 5-year intervals up to age 80 and a category
11 of 80 years or older.
- 12 d. The patient's procedure code.
- 13 e. The patient's diagnosis code.
- 14 f. Charges assessed with respect to the procedure code.
- 15 g. The name and address of the facility in which the patient's services were
16 rendered.
- 17 h. The patient's sex.
- 18 i. Information that contains the name of a health care provider that is not a
19 hospital or ambulatory surgery center, if the independent review board first reviews
20 and approves the release or if the department promulgates rules that specify
21 circumstances under which the independent review board need not review and
22 approve the release.
- 23 j. Calendar quarters of service, except if the department specifies by rule that
24 the number of data elements included in the public use data file is too small to enable
25 protection of patient confidentiality.

1 k. Information other than patient–identifiable data, as defined in s. 153.50 (1)
2 (b), as approved by the independent review board.

3 **SECTION 2280e.** 153.45 (1) (c) of the statutes is renumbered 153.45 (1) (c)
4 (intro.) and amended to read:

5 153.45 (1) (c) (intro.) Custom–designed reports containing portions of the data
6 under par. (b). Of information submitted by health care providers that are not
7 hospitals or ambulatory surgery centers, requests under this paragraph for data
8 elements other than those available for public use data files under par. (b) 2.,
9 including the patient’s month and year of birth, require review and approval by the
10 independent review board before the data elements may be released. Information
11 that contains the name of a health care provider that is not a hospital or ambulatory
12 surgery center may be released only if the independent review board first reviews
13 and approves the release or if the department promulgates rules that specify
14 circumstances under which the independent review board need not review and
15 approve the release. Reports under this paragraph may include the patient’s zip code
16 only if at least one of the following applies:

17 **SECTION 2280f.** 153.45 (1) (c) 1. to 4. of the statutes are created to read:

- 18 153.45 (1) (c) 1. Other potentially identifying data elements are not released.
19 2. Population density is sufficient to mask patient identity.
20 3. Other potentially identifying data elements are grouped to provide
21 population density sufficient to protect identity.
22 4. Multiple years of data elements are added to protect identity.

23 **SECTION 2280g.** 153.45 (6) of the statutes is created to read:

24 153.45 (6) The department may not sell or distribute data bases of information,
25 from health care providers who are not hospitals or ambulatory surgery centers, that

1 are able to be linked with public use data files, unless first approved by the
2 independent review board.

3 **SECTION 2280ge.** 153.50 (1) (a) of the statutes is renumbered 153.01 (2m).

4 **SECTION 2280gg.** 153.50 (1) (b) of the statutes is renumbered 153.50 (1) (b) 1.,
5 and 153.50 (1) (b) 1. (intro.), as renumbered, is amended to read:

6 153.50 (1) (b) 1. (intro.) “Patient–identifiable data”, for information submitted
7 by hospitals and ambulatory surgery centers. means all of the following data
8 elements:

9 **SECTION 2280gm.** 153.50 (1) (b) 2. of the statutes is created to read:

10 153.50 (1) (b) 2. “Patient–identifiable data”, for information submitted by
11 health care providers who are not hospitals or ambulatory surgery centers, means
12 all of the following data elements:

13 a. Data elements specified in subd. 1. a. to g., L. and m.

14 b. Whether the patient’s condition is related to employment, and occurrence
15 and place of an auto accident or other accident.

16 c. Date of first symptom of current illness, of current injury or of current
17 pregnancy.

18 d. First date of patient’s same or similar illness, if any.

19 e. Dates that the patient has been unable to work in his or her current
20 occupation.

21 f. Dates of receipt by patient of medical service.

22 g. The patient’s city, town or village.

23 **SECTION 2280h.** 153.50 (2) of the statutes is repealed.

24 **SECTION 2280i.** 153.50 (3) (b) 7. of the statutes is created to read:

1 153.50 (3) (b) 7. The patient's account number, after use only as verification of
2 data by the department.

3 **SECTION 2280j.** 153.50 (3) (c) of the statutes is created to read:

4 153.50 (3) (c) Develop, for use by purchasers of data under this chapter, a data
5 use agreement that specifies data use restrictions, appropriate uses of data and
6 penalties for misuse of data, and notify prospective and current purchasers of data
7 of the appropriate uses.

8 **SECTION 2280k.** 153.50 (3) (d) of the statutes is created to read:

9 153.50 (3) (d) Require that a purchaser of data under this chapter sign and have
10 notarized the data use agreement of the department specified in par. (c).

11 **SECTION 2280km.** 153.50 (3m) of the statutes is created to read:

12 153.50 (3m) HEALTH CARE PROVIDER MEASURES TO ENSURE PATIENT IDENTITY
13 PROTECTION. A health care provider that is not a hospital or ambulatory surgery
14 center shall, before submitting information required by the department under this
15 chapter, convert to a payer category code as specified by the department any names
16 of an insured's payer or other insured's payer.

17 **SECTION 2280kp.** 153.50 (4) (intro.) of the statutes is renumbered 153.50 (4)
18 (a) (intro.) and amended to read:

19 153.50 (4) (a) (intro.) Under Except as specified in par. (b), under the
20 procedures specified in sub. (5), release of patient-identifiable data may be made
21 only to any of the following:

22 **SECTION 2280kq.** 153.50 (4) (a) of the statutes is repealed.

23 **SECTION 2280kr.** 153.50 (4) (b) to (e) of the statutes are renumbered 153.50 (4)
24 (a) 1. to 4.

25 **SECTION 2280ks.** 153.50 (4) (b) of the statutes is created to read:

1 153.50 (4) (b) Of information submitted by health care providers that are not
2 hospitals or ambulatory surgery centers, patient-identifiable data that contain a
3 patient's date of birth may be released under par. (a) only under circumstances as
4 specified by rule by the department.

5 **SECTION 2280ku.** 153.50 (5) (a) (intro.) of the statutes is amended to read:

6 153.50 (5) (a) (intro.) The department may not release or provide access to
7 patient-identifiable data to a person authorized under sub. (4) (a), ~~(c), (d) or (e)~~
8 unless the authorized person requests the department, in writing, to release the
9 patient-identifiable data. The request shall include all of the following:

10 **SECTION 2280kv.** 153.50 (5) (a) 3. of the statutes is amended to read:

11 153.50 (5) (a) 3. For a person who is authorized under sub. (4) (a), ~~(c) or (d)~~ to
12 receive or have access to patient-identifiable data, evidence, in writing, that
13 indicates that authorization.

14 **SECTION 2280kw.** 153.50 (5) (a) 4. (intro.) of the statutes is amended to read:

15 153.50 (5) (a) 4. (intro.) For an entity that is authorized under sub. (4) ~~(e)~~ (a)
16 4. to receive or have access to patient-identifiable data, evidence, in writing, of all
17 of the following:

18 **SECTION 2280kx.** 153.50 (5) (b) 3. of the statutes is amended to read:

19 153.50 (5) (b) 3. For a person who believes that he or she is authorized under
20 sub. (4) (a), the action provided under s. 19.37.

21 **SECTION 2280n.** 153.50 (5m) of the statutes is created to read:

22 153.50 (5m) EMPLOYERS NOT TO REQUEST PATIENT-IDENTIFIABLE DATA.
23 Notwithstanding subs. (4) and (5) no employer may request the release of or access
24 to patient-identifiable data of an employe of the employer.

25 **SECTION 2280p.** 153.50 (6) of the statutes is renumbered 153.50 (6) (a).

1 **SECTION 2280q.** 153.50 (6) (b), (c), (d) and (e) of the statutes are created to read:

2 153.50 **(6)** (b) The department may not require under this chapter a health care
3 provider that is not a hospital or ambulatory surgery center to submit uniform
4 patient billing forms.

5 (c) A health care provider that is not a hospital or ambulatory surgery center
6 may not submit any of the following to the department under the requirements of
7 this chapter:

- 8 1. The data elements specified under sub. (3) (b).
- 9 2. The patient's telephone number.
- 10 3. The insured's employer's name or school name.
- 11 4. Data regarding insureds other than the patient, other than the payer
12 category code under sub. (3m).
- 13 5. The patient's employer's name or school name.
- 14 6. The patient's relationship to the insured.
- 15 7. The insured's identification number.
- 16 8. The insured's policy or group number.
- 17 9. The insured's date of birth or sex.
- 18 10. The patient's marital, employment or student status.

19 (d) If a health care provider that is not a hospital or ambulatory surgery center
20 submits a data element that is specified in par. (c) 1. to 10., the department shall
21 immediately return this information to the health care provider or, if discovered
22 later, shall remove and destroy the information.

23 (e) A health care provider may not submit information that uses any of the
24 following as a patient account number:

1 1. The patient's social security number or any substantial portion of the
2 patient's social security number.

3 2. A number that is related to another patient identifying number.

4 **SECTION 2280r.** 153.55 of the statutes is amended to read:

5 **153.55 Protection of ~~health care provider confidentiality.~~** ~~Health care~~
6 ~~provider-identifiable data~~ Data obtained under this chapter is not subject to
7 inspection, copying or receipt under s. 19.35 (1).

8 **SECTION 2281.** 153.60 (1) of the statutes is amended to read:

9 153.60 (1) The department shall, by the first October 1 after the
10 commencement of each fiscal year, estimate the total amount of expenditures under
11 this chapter for the department and the board for that fiscal year for data collection,
12 data base development and maintenance, generation of data files and standard
13 reports, orientation and training provided under s. 153.05 (9) and maintaining the
14 board. The department shall assess the estimated total amount for that fiscal year
15 less the estimated total amount to be received for purposes of administration of this
16 chapter under s. 20.435 (1) ~~(4)~~ (4) (hi) during the fiscal year, the unencumbered balance
17 of the amount received for purposes of administration of this chapter under s. 20.435
18 ~~(1) (4)~~ (4) (hi) from the prior fiscal year and the amount in the appropriation account
19 under s. 20.435 (1) (dg) for the fiscal year, to health care providers who are in a class
20 of health care providers from whom the department collects data under this chapter
21 in a manner specified by the department by rule. The department shall obtain
22 approval from the board for the amounts of assessments for health care providers
23 other than hospitals and ambulatory surgery centers. The department shall work
24 together with the department of regulation and licensing to develop a mechanism for
25 collecting assessments from health care providers other than hospitals and

1 ambulatory surgery centers. No health care provider that is not a facility may be
2 assessed under this subsection an amount that exceeds \$75 per fiscal year. Each
3 hospital shall pay the assessment on or before December 1. All payments of
4 assessments shall be deposited in the appropriation under s. 20.435 ~~(1)~~ (4) (hg).

5 **SECTION 2282.** 153.60 (3) of the statutes is amended to read:

6 153.60 **(3)** The department shall, by the first October 1 after the
7 commencement of each fiscal year, estimate the total amount of expenditures
8 required for the collection, database development and maintenance and generation
9 of public data files and standard reports for health care plans that voluntarily agree
10 to supply health care data under s. 153.05 (6r). The department shall assess the
11 estimated total amount for that fiscal year to health care plans in a manner specified
12 by the department by rule and may enter into an agreement with the office of the
13 commissioner of insurance for collection of the assessments. Each health plan that
14 voluntarily agrees to supply this information shall pay the assessments on or before
15 December 1. All payments of assessments shall be deposited in the appropriation
16 under s. 20.435 ~~(1)~~ (4) (hg) and may be used solely for the purposes of s. 153.05 (6r).

17 **SECTION 2283.** 153.65 of the statutes is amended to read:

18 **153.65 Provision of special information; user fees.** The department may,
19 but is not required to, provide, upon request from a person, a data compilation or a
20 special report based on the information collected by the department. The
21 department shall establish user fees for the provision of these compilations or
22 reports, payable by the requester, which shall be sufficient to fund the actual
23 necessary and direct cost of the compilation or report. All moneys collected under
24 this section shall be credited to the appropriation under s. 20.435 ~~(1)~~ (4) (hi).

25 **SECTION 2283g.** 153.67 of the statutes is created to read:

1 **153.67 Independent review board.** The independent review board shall
2 review any request under s. 153.45 (1) (c) for data elements other than those
3 available for public use data files under s. 153.45 (1) (b). Unless the independent
4 review board approves such a request or unless independent review board approval
5 is not required under rules of the department promulgated under s. 153.45 (1) (c)
6 (intro.), the data elements requested may not be released.

7 **SECTION 2283h.** 153.76 of the statutes is created to read:

8 **153.76 Rule-making by the independent review board.**

9 Notwithstanding s. 15.01 (1r), the independent review board may promulgate only
10 those rules that are first reviewed and approved by the board on health care
11 information.

12 **SECTION 2283i.** 153.85 of the statutes is amended to read:

13 **153.85 Civil liability.** Any Except as provided in s. 153.86, any person
14 violating s. 153.50 or rules promulgated under s. 153.75 (1) (a) is liable to the patient
15 for actual damages and costs, plus exemplary damages of up to \$1,000 for a negligent
16 violation and up to \$5,000 for an intentional violation.

17 **SECTION 2283j.** 153.86 of the statutes is created to read:

18 **153.86 Immunity from liability. (1)** A health care provider that submits
19 information to the department under this chapter is immune from civil liability for
20 all of the following:

21 (a) Any act or omission of an employee, official or agent of the health care
22 provider that results in the release of a prohibited data element while submitting
23 data to the department.

24 (b) Any act or omission of the department that results in the release of data.

1 **(2)** The immunity provided under this section does not apply to intentional,
2 wilful or reckless acts or omissions by health care providers.

3 **SECTION 2283k.** 153.90 (1) of the statutes is amended to read:

4 153.90 **(1)** Whoever intentionally violates s. 153.45 (5) or 153.50 or rules
5 promulgated under s. 153.75 (1) (a) may be fined not more than \$10,000 \$15,000 or
6 imprisoned for not more than ~~9 months~~ one year in the county jail or both.

7 **SECTION 2283m.** 154.17 (1) of the statutes is amended to read:

8 154.17 **(1)** “Do–not–resuscitate bracelet” means a standardized identification
9 bracelet ~~of uniform size, color, and design,~~ that meets the specifications established
10 under s. 154.27 (1), or that is approved by the department under s. 154.27 (2), that
11 bears the inscription “Do Not Resuscitate” and signifies that the wearer is a qualified
12 patient who has obtained a do–not–resuscitate order and that the order has not been
13 revoked.

14 **SECTION 2283n.** 154.19 (2) (b) of the statutes is renumbered 154.19 (2) (b)
15 (intro.) and amended to read:

16 154.19 **(2)** (b) (intro.) After providing the information under par. (a), the
17 attending physician, or the person directed by the attending physician, shall ~~affix~~
18 document in the patient’s medical record the medical condition that qualifies the
19 patient for the do–not–resuscitate order, shall make the order in writing and shall
20 do one of the following, as requested by the qualified patient:

21 1. Affix to the wrist of the patient a do–not–resuscitate bracelet and document
22 ~~in the patient’s medical record the medical condition that qualifies the patient for the~~
23 ~~do–not–resuscitate order~~ that meets the specifications established under s. 154.27
24 (1).

25 **SECTION 2283p.** 154.19 (2) (b) 2. of the statutes is created to read:

1 154.19 (2) (b) 2. Provide an order form from a commercial vendor approved by
2 the department under s. 154.27 (2) to permit the patient to order a
3 do-not-resuscitate bracelet from the commercial vendor.

4 **SECTION 2283q.** 154.27 of the statutes is renumbered 154.27 (1) and amended
5 to read:

6 154.27 (1) The department shall establish by rule a uniform standard for the
7 size, color, and design of all do-not-resuscitate bracelets. The Except as provided in
8 sub. (2), the rules shall require that the do-not-resuscitate bracelets include the
9 inscription “Do Not Resuscitate”; the name, address, date of birth and gender of the
10 patient; and the name, business telephone number and signature of the attending
11 physician issuing the order.

12 **SECTION 2283r.** 154.27 (2) of the statutes is created to read:

13 154.27 (2) The department may approve a do-not-resuscitate bracelet
14 developed and distributed by a commercial vendor if the bracelet contains an emblem
15 that displays an internationally recognized medical symbol on the front and the
16 words “Wisconsin Do-Not-Resuscitate-EMS” and the qualified patient’s first and
17 last name on the back. The department may not approve a do-not-resuscitate
18 bracelet developed and distributed by a commercial vendor if the vendor does not
19 require a doctor’s order for the bracelet prior to distributing it to a patient.

20 **SECTION 2283rm.** 155.01 (6) of the statutes is amended to read:

21 155.01 (6) “Health care facility” means a facility, as defined in s. 647.01 (4), or
22 any hospital, nursing home, community-based residential facility, county home,
23 county infirmary, county hospital, county mental health center, ~~tuberculosis~~
24 ~~sanatorium~~ or other place licensed or approved by the department under s. 49.70,

1 49.71, 49.72, 50.02, 50.03, 50.35, 51.08, or 51.09, ~~58.06, 252.073 or 252.076~~ or a
2 facility under s. 45.365, 51.05, 51.06, 233.40, 233.41, 233.42 or 252.10.

3 **SECTION 2283t.** 157.065 (3) of the statutes is renumbered 157.065 (3) (a).

4 **SECTION 2283u.** 157.065 (3) (b) of the statutes is created to read:

5 157.065 **(3)** (b) Any private military academy that provides an educational
6 program for grades 7 to 12 in a 4th class city may establish a private cemetery within
7 the city on land that the military academy owns, if the common council consents. No
8 mausoleum within a cemetery established under this paragraph may exceed 3,500
9 square feet in area.

10 **SECTION 2288b.** 165.755 (1) (a) of the statutes is amended to read:

11 165.755 **(1)** (a) Except as provided in par. (b), ~~beginning on October 14, 1997,~~
12 a court shall impose a crime laboratories and drug law enforcement assessment of
13 ~~\$4~~ \$5 if the court imposes a sentence, places a person on probation or imposes a
14 forfeiture for a violation of state law or for a violation of a municipal or county
15 ordinance.

16 **SECTION 2288f.** 165.76 (1) (a) of the statutes is amended to read:

17 165.76 **(1)** (a) Is in ~~prison or~~ a secured correctional facility, as defined in s.
18 938.02 (15m), or a secured child caring institution, as defined in s. 938.02 (15g) or on
19 probation, extended supervision, parole, supervision or aftercare supervision on or
20 after August 12, 1993, for any violation of s. 940.225 (1) or (2), 948.02 (1) or (2) or
21 948.025.

22 **SECTION 2288g.** 165.76 (1) (a) of the statutes, as affected by 1999 Wisconsin Act
23 (this act), is amended to read:

24 165.76 **(1)** (a) Is in a secured correctional facility, as defined in s. 938.02 (15m),
25 or a secured child caring institution, as defined in s. 938.02 (15g), or a secured group

1 home, as defined in s. 938.02 (15p), or on probation, extended supervision, parole,
2 supervision or aftercare supervision on or after August 12, 1993, for any violation of
3 s. 940.225 (1) or (2), 948.02 (1) or (2) or 948.025.

4 **SECTION 2288h.** 165.76 (1) (ag) of the statutes is created to read:

5 165.76 (1) (ag) Is in prison on or after August 12, 1993, and before
6 January 1, 2000, for any violation of s. 940.225 (1) or (2), 948.02 (1) or (2) or 948.025.

7 **SECTION 2288i.** 165.76 (1) (ar) of the statutes is created to read:

8 165.76 (1) (ar) Is in prison on or after January 1, 2000, for a felony committed
9 in this state.

10 **SECTION 2288L.** 165.76 (1) (e) of the statutes is amended to read:

11 165.76 (1) (e) Is released on parole or extended supervision or placed on
12 probation in another state before January 1, 2000, and is on parole, extended
13 supervision or probation in this state from another ~~the other~~ state under s. 304.13
14 or 304.135 on or after July 9, 1996, for a violation of the law of another ~~the other~~ state
15 that the department of corrections determines, under s. 304.137 (1), is comparable
16 to a violation of s. 940.225 (1) or (2), 948.02 (1) or (2) or 948.025.

17 **SECTION 2288m.** 165.76 (1) (f) of the statutes is created to read:

18 165.76 (1) (f) Is released on parole or extended supervision or placed on
19 probation in another state on or after January 1, 2000, and is on parole, extended
20 supervision or probation in this state from the other state under s. 304.13 or 304.135
21 for a violation of the law of the other state that the department of corrections
22 determines, under s. 304.137 (2), would constitute a felony if committed by an adult
23 in this state.

24 **SECTION 2289d.** 165.76 (2) (b) 2. of the statutes is amended to read:

1 165.76 (2) (b) 2. If the person has been sentenced to prison or placed in a secured
2 correctional facility ~~or~~, a secured child caring institution or a secured group home,
3 he or she shall provide the specimen under par. (a) at the office of a county sheriff as
4 soon as practicable after release on parole, extended supervision or aftercare
5 supervision, as directed by his or her probation, extended supervision and parole
6 agent or aftercare agent, except that the department of corrections or the county
7 department under s. 46.215, 46.22 or 46.23 operating the secured group home in
8 which the person is placed may require the person to provide the specimen while he
9 or she is in prison or in a the secured correctional facility ~~or a~~, secured child caring
10 institution or secured group home.

11 **SECTION 2289t.** 165.842 of the statutes is created to read:

12 **165.842 Motor vehicle stops; collection of information; annual report.**

13 **(1) DEFINITIONS.** In this section:

14 (a) “Department” means the department of justice.

15 (b) “Law enforcement agency” has the meaning given in s. 165.77 (1) (b).

16 (c) “Law enforcement officer” means a person who is employed by a law
17 enforcement agency for the purpose of detecting and preventing crime and enforcing
18 laws or ordinances and who is authorized to make arrests for violations of the laws
19 or ordinances the person is employed to enforce, whether that enforcement authority
20 extends to all laws or ordinances or is limited to specific laws or ordinances.

21 (d) “Motor vehicle stop” means the stop of a motor vehicle that is traveling in
22 any public or private place, or the detention of an occupied motor vehicle that is
23 already stopped in any public or private place, for the purpose of investigating any
24 alleged or suspected violation of a state or federal law or city, village, town or county
25 ordinance.

1 **(2)** INFORMATION COLLECTION REQUIRED. All persons in charge of law
2 enforcement agencies shall obtain, or cause to be obtained, all of the following
3 information with respect to each motor vehicle stop made on or after
4 January 1, 2001, by a law enforcement officer employed by the law enforcement
5 agency:

6 (a) The reason the law enforcement officer stopped the motor vehicle.

7 (b) The age, gender and race or ethnicity of the driver of the motor vehicle.

8 (c) The number of persons in the motor vehicle.

9 (d) Whether a search was conducted of the motor vehicle, the driver of the motor
10 vehicle or any passenger in the motor vehicle, and for each search conducted all of
11 the following information:

12 1. Whether the search was based on probable cause or reasonable suspicion,
13 on the consent of the person searched or, for a motor vehicle search, on the consent
14 of the driver or other authorized person.

15 2. If the search was of a passenger in the motor vehicle, the age, gender and race
16 or ethnicity of the passenger.

17 3. What, if anything, was seized as a result of the search.

18 (e) Whether a person was asked to give consent to a search of the motor vehicle
19 or of his or her person but refused to give consent.

20 (f) Whether the motor vehicle stop or a search conducted during the stop
21 resulted in the driver or any passenger being given a written warning of or a citation
22 for a violation of any law or ordinance and, if so, a listing of each warning or citation
23 given and the alleged violation for which the warning or citation was given.

1 (g) Whether the motor vehicle stop or a search conducted during the stop
2 resulted in the arrest of the driver or any passenger and, if so, a listing of each arrest
3 made and the reason for the arrest.

4 (h) Any other information required to be collected under the rules promulgated
5 by the department under sub. (5).

6 **(3) SUBMISSION OF INFORMATION COLLECTED.** The information obtained by a law
7 enforcement agency under sub. (2) shall be forwarded to the department using the
8 form prescribed by the rules promulgated under sub. (5) and in accordance with the
9 reporting schedule established under the rules promulgated under sub. (5).

10 **(4) ANALYSIS AND REPORT BY DEPARTMENT.** (a) The department shall compile the
11 information submitted to it by law enforcement agencies under sub. (3) and shall
12 analyze the information, along with any other relevant information, to determine
13 whether law enforcement officers target racial minorities when making motor
14 vehicle stops to investigate alleged or suspected violations of federal, state or local
15 laws or ordinances.

16 (b) For each calendar year, the department shall prepare an annual report that
17 summarizes the information submitted to it by law enforcement agencies concerning
18 motor vehicle stops made during the calendar year and that describes the methods
19 and conclusions of its analysis of the information. On or before March 31, 2002, and
20 on or before each March 31 thereafter, the department shall submit the annual
21 report required under this paragraph to the legislature under s. 13.172 (2), to the
22 governor and to the director of state courts.

23 **(5) RULES.** (a) The department shall promulgate rules to implement the
24 requirements of this section, including rules prescribing a form for use in obtaining
25 information under sub. (2) and establishing a schedule for forwarding the

1 information obtained to the department. The department shall make the form
2 prescribed by its rules available to law enforcement agencies.

3 (b) The department may by rule require the collection of information in
4 addition to that specified in sub. (2) (a) to (g) if the department determines that the
5 information will help to determine whether law enforcement officers target racial
6 minorities when making motor vehicle stops to investigate alleged or suspected
7 violations of federal, state or local laws or ordinances.

8 **SECTION 2289ud.** 165.85 (3m) (b) of the statutes is renumbered 165.85 (3m) (b)
9 1. and amended to read:

10 165.85 (3m) (b) 1. Request that an individual provide the board with his or her
11 social security number when he or she applies for certification or recertification
12 under this section. If Except as provided in subd. 2., if an individual who is requested
13 by the board to provide his or her social security number under this paragraph does
14 not comply with the board's request, the board shall deny the individual's application
15 for certification or recertification. The board may disclose a social security number
16 provided by an individual under this paragraph only to the department of workforce
17 development as provided in a memorandum of understanding entered into with the
18 department of workforce development under s. 49.857.

19 **SECTION 2289ue.** 165.85 (3m) (b) 2. of the statutes is created to read:

20 165.85 (3m) (b) 2. As a condition of applying for certification or recertification,
21 an individual who does not have a social security number shall submit a statement
22 made or subscribed under oath or affirmation to the board that he or she does not
23 have a social security number. The form of the statement shall be prescribed by the
24 department of workforce development. A certification or recertification issued in
25 reliance on a false statement submitted under this subdivision is invalid.

1 **SECTION 2290.** 165.85 (5m) of the statutes is repealed.

2 **SECTION 2290v.** 165.87 (title) of the statutes is repealed.

3 **SECTION 2291.** 165.87 (1) (title) of the statutes is repealed.

4 **SECTION 2292m.** 165.87 (1) (a) of the statutes is renumbered 757.05 (2) (a) and
5 amended to read:

6 757.05 (2) (a) Law enforcement training fund. Twenty-seven fifty-fifths of all
7 moneys collected from penalty assessments under ~~this section sub. (1)~~ shall be
8 credited to the appropriation account under s. 20.455 (2) (i) and utilized in
9 accordance with ss. 20.455 (2) and 165.85 (5) ~~and (5m)~~. The moneys credited to the
10 appropriation account under s. 20.455 (2) (i), except for the moneys transferred to s.
11 20.455 (2) (jb), constitute the law enforcement training fund.

12 **SECTION 2293.** 165.87 (1) (b) of the statutes is repealed.

13 **SECTION 2294m.** 165.87 (1) (bn) of the statutes is renumbered 16.964 (4) and
14 amended to read:

15 16.964 (4) ~~Five twenty-seconds of all moneys collected from penalty~~
16 ~~assessments under this section shall be credited to the appropriation account under~~
17 ~~and utilized in accordance with s. 20.505 (6) (g), except for moneys transferred to ss.~~
18 ~~20.410 (3) (kj) and 20.505 (6) (h).~~ In regard to any grant the office makes to any local
19 unit of government for which the state is providing matching funds from moneys
20 under ~~this paragraph s. 20.505 (6) (kp)~~, the local unit of government shall provide
21 matching funds equal to at least 10%.

22 **SECTION 2295.** 165.87 (1) (bp) of the statutes is repealed.

23 **SECTION 2296.** 165.87 (1) (br) of the statutes is repealed.

24 **SECTION 2297.** 165.87 (1) (c) of the statutes is repealed.

25 **SECTION 2298.** 165.87 (2) of the statutes is renumbered 757.05 (1).

1 **SECTION 2299.** 165.90 (4) (intro.) of the statutes is amended to read:

2 165.90 **(4)** (intro.) If the department approves a plan, the department shall
3 certify the program as eligible to receive aid under s. 20.455 (2) ~~(d) and (hn)~~ (kt). Prior
4 to January 15, of the year for which funding is sought, the department shall
5 distribute from the appropriations under s. 20.455 (2) ~~(d) and (hn)~~ (kt) to each eligible
6 program the amount necessary to implement the plan, subject to the following
7 limitations:

8 **SECTION 2300.** 165.90 (4) (a) of the statutes is amended to read:

9 165.90 **(4)** (a) A program may use funds received under s. 20.455 (2) ~~(d) or (hn)~~
10 (kt) only for law enforcement operations.

11 **SECTION 2301.** 165.90 (4) (b) of the statutes is amended to read:

12 165.90 **(4)** (b) A program shall, prior to the receipt of funds under s. 20.455 (2)
13 ~~(d) or (hn)~~ (kt) for the 2nd and any subsequent year, submit a report to the
14 department regarding the performance of law enforcement activities on the
15 reservation in the previous fiscal year.

16 **SECTION 2301m.** 166.03 (2) (a) 6. of the statutes is created to read:

17 166.03 **(2)** (a) 6. Purchase from the appropriation under s. 20.465 (3) (a), at a
18 cost not to exceed \$110,000, infrared optical equipment to be located and maintained
19 by the Chippewa County emergency management agency and used by the civil air
20 patrol to search for lost individuals.

21 **SECTION 2302.** 166.15 (1) (f) of the statutes is amended to read:

22 166.15 **(1)** (f) “Nuclear incident” means any sudden or nonsudden release of
23 ionizing radiation, as defined under s. 254.31 (3g), from radioactive waste being
24 stored or disposed of in a waste repository or transported. “Nuclear incident” does

1 not include any release of radiation from radioactive waste being transported under
2 routine operations.

3 **SECTION 2302m.** 166.20 (5) (a) 3. of the statutes is amended to read:

4 166.20 (5) (a) 3. All facilities in this state covered under 42 USC 11021 and all
5 public agencies and private agencies in this state at which a hazardous chemical is
6 present at or above an applicable threshold quantity shall comply with the reporting
7 requirements under 42 USC 11021 and 11022. The division shall implement
8 minimum threshold levels for reporting by retail gas stations that are identical to the
9 minimum threshold levels for reporting under 42 USC 11021 and 11022.

10 **SECTION 2303.** 166.20 (7g) of the statutes is repealed.

11 **SECTION 2303b.** 166.215 (1) of the statutes is amended to read:

12 166.215 (1) The Beginning July 1, 2001, the division shall contract with ~~no~~
13 ~~fewer than 7 and no more than 9~~ regional emergency response teams, each of which
14 will one of which shall be located in La Crosse County. Each regional emergency
15 response team shall assist in the emergency response to level A releases in a region
16 of this state designated by the division. The division shall contract with at least one
17 regional emergency response team in each area designated under s. 166.03 (2) (b) 1.
18 The division may only contract with a local agency, as defined in s. 166.22 (1) (c),
19 under this subsection. A member of a regional emergency response team shall meet
20 the standards for a hazardous materials specialist in 29 CFR 1910.120 (q) (6) (iv) and
21 national fire protection association standards NFPA 471 and 472. Payments to
22 regional emergency response teams under this subsection shall be made from the
23 appropriation account under s. 20.465 (3) (dd).

24 **SECTION 2303d.** 166.215 (5) of the statutes is amended to read:

1 166.215 (5) The division shall notify the joint committee on finance in writing,
2 before entering into a new contractual agreement under sub. (1) or renewing or
3 extending a contractual agreement under sub. (1), of the specific funding
4 commitment involved in that proposed new, renewed or extended contract. The
5 division shall include in that notification information regarding any anticipated
6 contractual provisions that involve state fiscal commitments for each fiscal year in
7 the proposed new, renewed or extended contract. The division may enter into a new
8 contractual agreement or renew or extend a contractual agreement, as proposed in
9 the notification to the joint committee on finance, if within 14 working days after
10 notification the committee does not schedule a meeting to review the division's
11 proposed action. If, within 14 working days after notification to the joint committee
12 on finance, the committee notifies the division that the committee has scheduled a
13 meeting to review the division's proposed action, the division may enter into the
14 proposed new contact or renew or extend the contract as proposed only if the
15 committee approves that action. ~~Notwithstanding s. 13.10, the division may include~~
16 ~~in its notification to the joint committee on finance a request for approval of any~~
17 ~~increase in the amount of money in the appropriation account under s. 20.465 (3) (dd)~~
18 ~~necessary to provide sufficient money for the proposed new, renewed or extended~~
19 ~~contracts under sub. (1).~~

20 **SECTION 2303r.** 168.07 of the statutes is amended to read:

21 **168.07 Inspections; requirements. (1)** The inspector shall inspect each
22 sample of petroleum product and if the inspector finds that it meets the minimum
23 specifications prescribed by the department, the inspector shall issue an inspection
24 certificate, except that inspections for particular grade specifications shall be at the
25 discretion of the department. If an inspector believes that a product has been

1 misidentified, an inspection shall be performed. If the inspector finds that the
2 petroleum product does not meet the minimum specifications prescribed by the
3 department, the inspector shall notify the person for whom the inspection was made.
4 After such notice, no person may sell or use the product in this state or remove it from
5 storage as long as it fails to meet the minimum specifications prescribed by the
6 department or until satisfactory disposition is approved by the inspector. Any
7 transporter, wholesaler or distributor of petroleum products who delivers or causes
8 to be delivered a petroleum product that fails to meet the minimum specifications
9 prescribed by the department shall, at the direction of the department, remove the
10 petroleum product and dispose of it in a manner approved by the department. The
11 department may contract for the performance of testing conducted under this
12 subsection.

13 **(2)** ~~Inspections made by the inspectors~~ under sub. (1) shall be conducted, so far
14 as applicable, in accordance with the methods outlined in the latest revision of the
15 ASTM Book of Standards of the American Society for Testing and Materials.

16 **SECTION 2303sp.** 170.12 (3m) (a) 1. of the statutes is amended to read:

17 170.12 **(3m)** (a) 1. If the applicant is an individual and has a social security
18 number, the applicant's social security number.

19 **SECTION 2303sr.** 170.12 (3m) (a) 1m. of the statutes is created to read:

20 170.12 **(3m)** (a) 1m. If the applicant is an individual and does not have a social
21 security number, a statement made or subscribed under oath or affirmation that the
22 applicant does not have a social security number. The form of the statement shall
23 be prescribed by the department of workforce development. A permit issued in
24 reliance upon a false statement submitted under this subdivision is invalid.

25 **SECTION 2303ss.** 170.12 (3m) (b) of the statutes is amended to read:

1 170.12 **(3m)** (b) The board may not disclose any information received under par.

2 (a) 1. or 2. to any person except as follows:

3 1. The board may disclose information under par. (a) 1. or 2. to the department
4 of revenue for the sole purpose of requesting certifications under s. 73.0301.

5 2. The board may disclose information under par. (a) 1. or 2. to the department
6 of workforce development in accordance with a memorandum of understanding
7 under s. 49.857.

8 **SECTION 2303st.** 177.01 (10) of the statutes is renumbered 177.01 (10) (a).

9 **SECTION 2303su.** 177.01 (10) (b) of the statutes is created to read:

10 177.01 **(10)** (b) “Intangible property” does not include a credit balance issued
11 to a commercial customer account by a business association in the ordinary course
12 of business, unless the credit balance is property described in s. 177.06 (1) or (2) held
13 by a banking organization or financial organization.

14 **SECTION 2304c.** 180.0103 (6) of the statutes is repealed and recreated to read:

15 180.0103 **(6)** “Deliver” or “delivery” means any method of delivery used in
16 conventional commercial practice, including delivery by hand, mail, commercial
17 delivery and electronic transmission.

18 **SECTION 2304cm.** 180.0103 (7m) of the statutes is created to read:

19 180.0103 **(7m)** “Electronic transmission” or “electronically transmitted”
20 means internet transmission, telephonic transmission, electronic mail
21 transmission, transmission of a telegram, cablegram or datagram or any other form
22 or process of communication that does not directly involve the physical transfer of
23 paper and that is suitable for the retention, retrieval and reproduction of information
24 by the recipient.

25 **SECTION 2304dm.** 180.0103 (16) of the statutes is amended to read:

1 180.0103 **(16)** “Signed” or “signature” includes any manual, facsimile,
2 conformed or electronic signature or any symbol executed or adopted by a party with
3 present intention to authenticate a writing or electronic transmission.

4 **SECTION 2304ed.** 180.0141 (2) (a) of the statutes is amended to read:

5 180.0141 **(2)** (a) A person shall give notice in writing, except as provided in par.
6 (b). For purposes of this section, notice by electronic transmission is written notice.

7 **SECTION 2304fb.** 180.0141 (3) of the statutes is amended to read:

8 180.0141 **(3)** Except as provided in s. 180.0721 (4) or unless otherwise provided
9 in the articles of incorporation or bylaws, notice may be communicated in person, ;
10 by telephone, telegraph, teletype, facsimile or other form of wire or wireless
11 communication, or by mail or private carrier, and, if mail or other method of delivery;
12 by telephone, including voice mail, answering machine or answering service; or by
13 any other electronic means. If these forms of personal notice are impracticable,
14 notice may be communicated by a newspaper of general circulation in the area where
15 published, or by radio, television or other form of public broadcast communication.

16 **SECTION 2304fh.** 180.0141 (5) (b) of the statutes is renumbered 180.0141 (5)
17 (b) (intro.) and amended to read:

18 180.0141 **(5)** (b) (intro.) Written notice by a domestic corporation or foreign
19 corporation to its shareholder is effective when under any of the following conditions:

20 1. When mailed and may be, but only if mailed postpaid and addressed to the
21 shareholder’s address shown in the domestic corporation’s or foreign corporation’s
22 current record of shareholders.

23 **SECTION 2304gb.** 180.0141 (5) (b) 2. of the statutes is created to read:

24 180.0141 **(5)** (b) 2. When electronically transmitted to the shareholder in a
25 manner authorized by the shareholder.

1 **SECTION 2304gm.** 180.0722 (2) of the statutes is repealed and recreated to
2 read:

3 180.0722 **(2)** (a) A shareholder entitled to vote at a meeting of shareholders, or
4 to express consent or dissent in writing to any corporate action without a meeting of
5 shareholders, may authorize another person to act for the shareholder by appointing
6 the person as proxy. An appointment of a proxy may be in durable form as provided
7 in s. 243.07.

8 (b) Without limiting the manner in which a shareholder may appoint a proxy
9 under par. (a), a shareholder or the shareholder's authorized officer, director,
10 employe, agent or attorney-in-fact may use any of the following as a valid means to
11 make such an appointment:

12 1. Appointment of a proxy in writing by signing or causing the shareholder's
13 signature to be affixed to an appointment form by any reasonable means, including,
14 but not limited to, by facsimile signature.

15 2. Appointment of a proxy by transmitting or authorizing the transmission of
16 an electronic transmission of the appointment to the person who will be appointed
17 as proxy or to a proxy solicitation firm, proxy support service organization or like
18 agent authorized to receive the transmission by the person who will be appointed as
19 proxy. Every electronic transmission shall contain, or be accompanied by,
20 information that can be used to reasonably determine that the shareholder
21 transmitted or authorized the transmission of the electronic transmission. Any
22 person charged with determining whether a shareholder transmitted or authorized
23 the transmission of the electronic transmission shall specify the information upon
24 which the determination is made.

1 (c) Any copy, facsimile telecommunication or other reliable reproduction of the
2 information in the appointment form under par. (b) 1. or the electronic transmission
3 under par. (b) 2. may be substituted or used in lieu of the original appointment form
4 or electronic transmission for any purpose for which the original appointment form
5 or electronic transmission could be used, but only if the copy, facsimile
6 telecommunication or other reliable reproduction is a complete reproduction of the
7 information in the original appointment form or electronic transmission.

8 **SECTION 2304gz.** 180.0722 (3) of the statutes is amended to read:

9 180.0722 (3) An appointment of a proxy is effective when a signed appointment
10 form or an electronic transmission of the appointment is received by the secretary
11 ~~or other~~ inspector of election or the officer or agent of the corporation authorized to
12 tabulate votes. An appointment is valid for 11 months ~~from the date of its signing~~
13 unless a different period is expressly provided in the appointment form.

14 **SECTION 2304hd.** 180.0722 (4) (a) (intro.) of the statutes is amended to read:

15 180.0722 (4) (a) (intro.) An appointment of a proxy is revocable ~~by the~~
16 ~~shareholder~~ unless the appointment form ~~conspicuously~~ or electronic transmission
17 states that it is irrevocable and the appointment is coupled with an interest.
18 Appointments coupled with an interest include, but are not limited to, the
19 appointment of any of the following:

20 **SECTION 2304hL.** 180.0722 (7) of the statutes is amended to read:

21 180.0722 (7) Subject to s. 180.0724 and to any express limitation on the proxy's
22 authority ~~appearing on the face of~~ stated in the appointment form or electronic
23 transmission, a corporation may accept the proxy's vote or other action as that of the
24 shareholder making the appointment.

25 **SECTION 2304ho.** 180.0722 (8) (a) of the statutes is amended to read:

1 180.0722 **(8)** (a) Notwithstanding sub. (4), may be revoked at any time by
2 openly stating the revocation at a shareholder meeting or appointing a new proxy in
3 writing the manner provided under sub. (2) (b).

4 **SECTION 2304jb.** 180.0724 (4) of the statutes is amended to read:

5 180.0724 **(4)** The corporation and its officer or agent who accepts or rejects a
6 vote, consent, waiver or proxy appointment in good faith and in accordance with this
7 section or s. 180.0722 (2) are not liable in damages to the shareholder for the
8 consequences of the acceptance or rejection.

9 **SECTION 2304jm.** 180.0724 (5) of the statutes is amended to read:

10 180.0724 **(5)** Corporate action based on the acceptance or rejection of a vote,
11 consent, waiver or proxy appointment under this section or s. 180.0722 (2) is valid
12 unless a court of competent jurisdiction determines otherwise.

13 **SECTION 2305m.** 180.1901 (1m) (bs) of the statutes is created to read:

14 180.1901 **(1m)** (bs) Athletic trainers affiliated credentialing board under
15 subch. VI of ch. 448.

16 **SECTION 2308d.** 182.028 of the statutes is amended to read:

17 **182.028 School corporations.** Any corporation formed for the establishment
18 and maintenance of schools, academies, seminaries, colleges or universities or for the
19 cultivation and practice of music shall have power to enact bylaws for the protection
20 of its property, and provide fines as liquidated damages upon its members and
21 patrons for violating the bylaws, and may collect the same in tort actions, and to
22 prescribe and regulate the courses of instruction therein, and to confer such degrees
23 and grant such diplomas as are usually conferred by similar institutions or as shall
24 be appropriate to the courses of instruction prescribed, except that no corporation
25 shall operate or advertise a school that is subject to s. ~~39.51~~ 45.54 (10) without

1 complying with the requirements of s. ~~39.51~~ 45.54. Any stockholder may transfer his
2 or her stock to the corporation for its use; and if the written transfer so provides the
3 stock shall be perpetually held by the board of directors with all the rights of a
4 stockholder, including the right to vote.

5 **SECTION 2308r.** 186.098 (12) of the statutes is amended to read:

6 186.098 **(12)** LOANS TO MEMBERS. A credit union may make loans to members
7 secured by assignment or transfer of stock certificates or other evidence of the
8 borrower's ownership interest in a corporation formed for the cooperative ownership
9 of real estate. Sections 846.10 and 846.101, as they apply to a foreclosure of a
10 mortgage involving a one-family residence, apply to a proceeding to enforce the
11 lender's rights in security given for a loan under this subsection. The office of credit
12 unions shall promulgate joint rules with the ~~divisions of savings and loan~~ division
13 of savings institutions and the division of banking that establish procedures for
14 enforcing a lender's rights in security given for a loan under this subsection.

15 **SECTION 2308rm.** 189.02 (7) of the statutes is created to read:

16 189.02 **(7)** At least 14 days before submitting to the public service commission
17 any personnel or budget request that affects any appropriation to the department of
18 transportation, the office shall notify the secretary of the request.

19 **SECTION 2309m.** 196.01 (3n) of the statutes is amended to read:

20 196.01 **(3n)** "Mobile home" has the meaning given in s. 101.91 ~~(4)~~ (2e).

21 **SECTION 2310c.** 196.025 of the statutes is renumbered 196.025 (1).

22 **SECTION 2310g.** 196.025 (2) of the statutes is created to read:

23 196.025 **(2)** The commission shall promulgate rules establishing requirements
24 and procedures for the commission to carry out the duties under s. 1.11. Rules

1 promulgated under this subsection shall include requirements and procedures for
2 each of the following:

3 (a) Standards for determining the necessity of preparing an environmental
4 impact statement.

5 (b) Adequate opportunities for interested persons to be heard on environmental
6 impact statements, including adequate time for the preparation and submission of
7 comments.

8 (c) Deadlines that allow thorough review of environmental issues without
9 imposing unnecessary delays in addressing the need for additional electric
10 transmission capacity in this state.

11 **SECTION 2310L.** 196.025 (3) of the statutes is created to read:

12 196.025 (3) The commission shall promulgate rules establishing requirements
13 and procedures for electric utilities, as defined under s. 196.491 (1) (d), to file reports
14 with the commission, on a frequency that the commission determines is reasonably
15 necessary, on their current reliability status, including the status of operating and
16 planning reserves, available transmission capacity and outages of major operational
17 units and transmission lines. A report filed under the rules promulgated under this
18 subsection is subject to inspection and copying under s. 19.35 (1), except that the
19 commission may withhold the report from inspection and copying for a period of time
20 that the commission determines is reasonably necessary to prevent an adverse
21 impact on the supply or price of energy in this state.

22 **SECTION 2310p.** 196.025 (4) of the statutes is created to read:

23 196.025 (4) (a) In consultation with the department of administration and the
24 department of revenue, the commission shall study the establishment of a program

1 for providing incentives for the development of high–efficiency, small–scale electric
2 generating facilities in this state that do either of the following:

3 1. Provide benefits in the form of support for electric distribution or
4 transmission systems, power quality or environmental performance.

5 2. Employ technologies such as combined heat and power systems, fuel cells,
6 microturbines or photovoltaic systems that may be situated in, on or next to
7 buildings or other electric load centers.

8 (b) No later than January 1, 2001, the commission shall submit a report of its
9 findings and recommendations under par. (a) to the chief clerk of each house of the
10 legislature for distribution to the appropriate standing committees under s. 13.172
11 (3).

12 **SECTION 2310t.** 196.025 (5) of the statutes is created to read:

13 196.025 (5) (ag) In this subsection, “electric cooperative” means a cooperative
14 association organized under ch. 185 for the purpose of generating, distributing or
15 furnishing electric energy at retail or wholesale to its members only.

16 (ar) The commission shall contract with an expert consultant in economics to
17 conduct a study on the potential for horizontal market power, including the
18 horizontal market power of electric generators, to frustrate the creation of an
19 effectively competitive retail electricity market in this state and to make
20 recommendations on measures to eliminate such market power on a sustainable
21 basis. The study shall include each of the following:

22 1. An assessment of the effect of each recommendation on public utility workers
23 and shareholders and electric cooperative workers and members.

24 1m. An assessment of the effect of each recommendation on rates for each class
25 of public utility customers and electric cooperative members.

1 2. An evaluation of the impact of transmission constraints on the market power
2 of electric generators in local areas.

3 (b) No later than January 1, 2001, the commission shall submit a report of the
4 results of the study under par. (ar) to the chief clerk of each house of the legislature
5 for distribution to the appropriate standing committees under s. 13.172 (3).

6 **SECTION 2311q.** 196.04 (4) of the statutes is renumbered 196.04 (4) (b) and
7 amended to read:

8 196.04 (4) (b) If the parties cannot agree and the commission finds that public
9 convenience and necessity or the rendition of reasonably adequate service to the
10 public requires that a public utility, telecommunications provider, sewerage system
11 operator or cable operator, ~~as defined in s. 66.082 (2) (b)~~, be permitted to extend its
12 lines on, over or under the right-of-way of any railroad, or requires that the tracks
13 of any railroad be extended on, over or under the right-of-way of any public utility,
14 telecommunications provider, sewerage system operator or cable operator, the
15 commission may order the extension by the public utility, telecommunications
16 provider, sewerage system operator, cable operator or railroad on, over or under the
17 right-of-way of the other if it will not materially impair the ability of the railroad,
18 telecommunications provider, sewerage system operator, cable operator or public
19 utility, on, over or under whose right-of-way the extension would be made, to serve
20 the public. The commission shall prescribe lawful conditions and compensation
21 which the commission deems equitable and reasonable in light of all the
22 circumstances.

23 **SECTION 2311s.** 196.04 (4) (a) of the statutes is created to read:

24 196.04 (4) (a) In this subsection:

25 1. “Cable operator” has the meaning given in s. 66.082 (2) (b).

- 1 2. “Sewerage system operator” means any of the following:
- 2 a. A municipality that operates a sewerage system under s. 66.076.
- 3 b. A town sanitary district commission that operates a sewerage system under
- 4 60.77 (4).
- 5 c. A city or village that obtains a sewerage system under s. 60.79.
- 6 d. A metropolitan sewerage district commission that operates a sewerage
- 7 system under s. 66.24 (2) or 66.89 (1).
- 8 e. A public inland lake protection and rehabilitation district that exercises the
- 9 powers of a town sanitary district under s. 33.22 (3) and that operates a sewerage
- 10 system under s. 60.77 (4).

11 **SECTION 2311t.** 196.19 (1m) (b) of the statutes is amended to read:

12 196.19 **(1m)** (b) A telecommunications utility may not offer a new

13 telecommunications service to the public without first filing a tariff for that offering

14 with the commission. A proposed tariff offering a new telecommunications service

15 shall be effective on the date specified in the tariff ~~but not earlier than 10 days after~~

16 ~~the date on which the tariff is filed with the commission~~, unless the commission,

17 either upon complaint or upon its own motion, suspends the operation of the new

18 tariff by serving written notice of the suspension on the telecommunications utility

19 within 10 days after the date of filing. The notice shall include a statement of the

20 reason under par. (c) upon which the commission believes the tariff may be modified.

21 **SECTION 2311u.** 196.19 (1m) (e) of the statutes is repealed.

22 **SECTION 2312x.** 196.192 of the statutes is created to read:

23 **196.192 Market-based compensation, rates and contracts. (1)** In this

24 section, “electric public utility” means a public utility whose purpose is the

25 generation, distribution and sale of electric energy.

1 **(2)** No later than March 1, 2000, each investor–owned electric public utility
2 shall do each of the following:

3 (a) File with the commission rates that result in customers receiving
4 market–based compensation for voluntary interruptions of firm load during peak
5 periods of electric use.

6 (b) File with the commission market–based pricing options and options for
7 individual contracts that allow a retail customer, through service from its existing
8 public utility, to receive market benefits and take market risks for the customer’s
9 purchases of capacity or energy.

10 **(3)** (a) The commission shall approve market–based rates that are consistent
11 with the options specified in sub. (2), except that the commission may not approve
12 a market–based rate unless the commission determines that the rate will not harm
13 shareholders of the investor–owned electric public utility or customers who are not
14 subject to the rate.

15 (b) Nothing in s. 196.20, 196.21, 196.22, 196.37, 196.60 or 196.604 prohibits the
16 commission from approving a filing under sub. (2) or approving market–based rates
17 under par. (a).

18 **(4)** Subject to any approval of the commission that is necessary, an electric
19 public utility that is not an investor–owned electric public utility may implement
20 market–based rates approved under sub. (3) (a) or implement the options in filings
21 under sub. (2) that are approved by the commission.

22 **SECTION 2313m.** 196.208 (5p) of the statutes is created to read:

23 **196.208 (5p) TOLL–FREE CALLS ANSWERED BY PRISONERS.** (a) In this subsection:

24 1. “Charitable organization” has the meaning given in s. 440.41 (1).

1 2. “Prisoner” means a prisoner of any correctional or detention facility located
2 in this state.

3 (b) If a prisoner is employed directly or indirectly by a charitable organization
4 or toll-free service vendor to answer calls made to the charitable organization or
5 toll-free service vendor, the prisoner shall do all of the following immediately upon
6 answering a call:

7 1. Identify himself or herself by name.

8 2. State that he or she is a prisoner.

9 3. Inform the calling party of the name of the correctional or detention facility
10 in which he or she is a prisoner and the city in which the facility is located.

11 (c) A charitable organization or toll-free service vendor that directly or
12 indirectly employs a prisoner shall provide reasonable supervision of the prisoner to
13 assure the prisoner’s compliance with par. (b).

14 **SECTION 2313u.** 196.208 (11) (d) of the statutes is renumbered 196.208 (11) (d)

15 1. and amended to read:

16 196.208 (11) (d) 1. ~~Any~~ Except as provided in subd. 2., any person who violates
17 subs. (2) to (9) shall be required to forfeit not less than \$25 nor more than \$5,000 for
18 each offense.

19 3. Forfeitures under ~~this paragraph~~ subds. 1. and 2. shall be enforced by action
20 on behalf of the state by the department of justice or, upon informing the department
21 of justice, by the district attorney of the county where the violation occurs.

22 **SECTION 2313y.** 196.208 (11) (d) 2. of the statutes is created to read:

23 196.208 (11) (d) 2. a. A prisoner who violates sub. (5p) (b) may be required to
24 forfeit not more than \$500.

1 b. A person who employs a prisoner to answer calls made to a toll-free
2 telephone number may be required to forfeit not more than \$10,000 if the person
3 violates sub. (5p) (c), aids and abets a prisoner's violation of sub. (5p) (b), is a party
4 to a conspiracy with a prisoner to commit a violation of sub. (5p) (b) or advises, hires
5 or counsels or otherwise procures a prisoner to commit a violation of sub. (5p) (b).

6 **SECTION 2316.** 196.218 (1) (a) and (b) of the statutes are repealed.

7 **SECTION 2317.** 196.218 (3) (a) 3. of the statutes is amended to read:

8 196.218 (3) (a) 3. The commission shall designate the method by which the
9 contributions under this paragraph shall be calculated and collected. The method
10 shall ensure that the contributions are sufficient to generate the amounts
11 appropriated under ss. 20.155 (1) (q), 20.255 (3) (q), 20.275 (1) (s), (t) and (tm) and
12 20.285 (1) (q). Contributions may be based only on the gross operating revenues from
13 the provision of broadcast services identified by the commission under subd. 2. and
14 on intrastate telecommunications services in this state of the telecommunications
15 providers subject to the contribution.

16 **SECTION 2318.** 196.218 (4r) (title) of the statutes is renumbered 44.73 (title).

17 **SECTION 2319.** 196.218 (4r) (a) (intro.) of the statutes is repealed.

18 **SECTION 2320.** 196.218 (4r) (a) 1. of the statutes is renumbered 44.70 (1m).

19 **SECTION 2321.** 196.218 (4r) (a) 2. and 2m. of the statutes are renumbered 44.70
20 (3g) and (3j).

21 **SECTION 2322.** 196.218 (4r) (a) 3. of the statutes is renumbered 44.70 (6).

22 **SECTION 2323.** 196.218 (4r) (b) of the statutes is renumbered 44.73 (1) and
23 amended to read:

24 44.73 (1) ~~The commission~~ Except as provided in s. 196.218 (4t), the board, in
25 consultation with the department ~~and the board~~, shall promulgate rules establishing

1 an educational telecommunications access program to provide school districts,
2 private schools, cooperative educational service agencies, technical college districts,
3 private colleges and public library boards educational agencies with access to data
4 lines and video links.

5 **SECTION 2324.** 196.218 (4r) (c) (intro.), 1., 2., 3. and 4. of the statutes are
6 renumbered 44.73 (2) (intro.), (a), (b), (c) and (d) and amended to read:

7 44.73 (2) (intro.) The rules promulgated under par. (b) sub. (1) shall do all of
8 the following:

9 (a) Allow a school district, private school, cooperative educational service
10 agency, technical college district, private college and public library board an
11 educational agency to make a request to the board for access to either one data line
12 or one video link, except that if any educational agency may request access to
13 additional data lines if the agency shows to the satisfaction of the board that the
14 additional data lines are more cost-effective than a single data line and except that
15 a school district that operates more than one high school the rules shall allow the
16 school district to may request access to both a data line and a video link and to request
17 access to more than one data line or video link. The board shall forward requests
18 received under this subdivision to the commission and the department.

19 (b) Establish eligibility requirements for a school district, private school,
20 cooperative educational service agency, technical college district, private college and
21 public library board an educational agency to participate in the program established
22 under par. (b). The requirements shall prohibit a participant in the program from
23 receiving assistance from the universal service fund for the purpose specified in sub.
24 (5) (a) 3. for educational telecommunications access that is substantially similar to
25 the access provided to the participant under the program sub. (1).

1 (c) Establish specifications for a data ~~line or~~ lines and video link that links for
2 which access is provided to a school district, private school, cooperative educational
3 service agency, technical college district, private college and public library board an
4 educational agency under the program established under ~~par. (b)~~ sub. (1).

5 (d) Require a school district, private school, cooperative educational service
6 agency, technical college district, private college and public library board an
7 educational agency to pay the department not more than \$250 per month for each
8 data line or video link that is provided to the school district, private school,
9 cooperative educational service agency, technical college district, private college and
10 public library board educational agency under the program established under ~~par.~~
11 ~~(b)~~ sub. (1), except that the charge may not exceed \$100 per month for each data line
12 or video link that relies on a transport medium that operates at a speed of 1.544
13 megabits per second.

14 **SECTION 2325.** 196.218 (4r) (c) 5. of the statutes is renumbered 44.73 (2) (e).

15 **SECTION 2326.** 196.218 (4r) (d) of the statutes is renumbered 44.73 (3) and
16 amended to read:

17 44.73 (3) The ~~commission~~ board shall submit an annual report to the ~~board~~
18 department on the status of providing data lines and video links that are requested
19 under ~~par. (c) 1.~~ sub. (2) (a) and the impact on the universal service fund of any
20 payment under ~~sub. (5) (a) 5.~~ contracts under s. 16.974 (7).

21 **SECTION 2327.** 196.218 (4r) (e) of the statutes is renumbered 44.73 (4) and
22 amended to read:

23 44.73 (4) If the federal communications commission promulgates or modifies
24 rules that provide rate discounts for telecommunications services to school districts,
25 private schools, cooperative educational service agencies, technical college districts,

1 ~~private colleges or public library boards~~ educational agencies under 47 USC 254, the
2 governor shall submit a report to the joint committee on finance that includes any
3 recommended changes to statutes or rules with respect to funding the program
4 established under ~~par. (b) sub. (1)~~.

5 **SECTION 2328.** 196.218 (4r) (f) of the statutes is renumbered 44.73 (5) and
6 amended to read:

7 44.73 (5) Notwithstanding ~~pars. (b) and (c) subs. (1) and (2)~~, technical college
8 districts are not eligible to participate in the program established under ~~par. (b) sub.~~
9 (1) before April 1, 1998. ~~In consultation with the commission, the~~ The board shall
10 determine by April 1, 1998, whether there are sufficient moneys in the appropriation
11 under s. 20.275 (1) ~~(s)~~ (t) to include technical college districts in the program
12 established under ~~par. (b) sub. (1)~~. If the board determines that there are sufficient
13 moneys, technical college districts are eligible to participate in the program
14 established under ~~par. (b) sub. (1)~~ beginning on April 1, 1998.

15 **SECTION 2329.** 196.218 (4r) (g) of the statutes is renumbered 44.73 (6) and
16 amended to read:

17 44.73 (6) From the appropriation under s. 20.275 (1) ~~(gf), (gh), (s) or (tm)~~, the
18 board may award an annual grant to a school district or private school that had in
19 effect on October 14, 1997, a contract for access to a data line or video link, as
20 documented by the ~~commission~~ board. The board shall determine the amount of the
21 grant, which shall be equal to the cost incurred by the state to provide
22 telecommunications access to a school district or private school under a contract
23 entered into under s. 16.974 (7) (a) or (c) less the amount that the school district or
24 private school would be paying under ~~par. (e) 4. sub. (2) (d)~~ if the school district or
25 private school were participating in the program established under ~~par. (b) sub. (1)~~,

1 except that the amount may not be greater than the cost that a school district or
2 private school incurs under the contract in effect on October 14, 1997. A school
3 district or private school receiving a grant under this ~~paragraph~~ subsection is not
4 eligible to participate in the program under ~~par. (b)~~ sub. (1). No grant may be
5 awarded under this ~~paragraph~~ subsection after June 30, 2002.

6 **SECTION 2329g.** 196.218 (4t) of the statutes is created to read:

7 196.218 (4t) EDUCATIONAL TELECOMMUNICATIONS ACCESS PROGRAM RULES. The
8 commission, in consultation with the department of administration and the
9 technology for educational achievement in Wisconsin board, shall promulgate rules
10 specifying the telecommunications services eligible for funding through the
11 educational telecommunications access program under s. 44.73.

12 **SECTION 2329m.** 196.218 (4u) of the statutes is created to read:

13 196.218 (4u) MEDICAL TELECOMMUNICATIONS EQUIPMENT PROGRAM. From the
14 appropriation under 20.155 (1) (q), the commission may spend up to \$500,000
15 annually for grants to nonprofit medical clinics and public health agencies for the
16 purchase of telecommunications equipment to be used in providing services to their
17 clients. The commission shall promulgate rules establishing requirements and
18 procedures for awarding grants under this subsection.

19 **SECTION 2330.** 196.218 (5) (a) 3. of the statutes is repealed.

20 **SECTION 2331.** 196.218 (5) (a) 5. of the statutes is amended to read:

21 196.218 (5) (a) 5. To pay costs incurred under contracts under s. 16.974 (7) to
22 the extent that these costs are not paid under ~~sub. (4r) (c) 4~~ s. 44.73 (2) (d).

23 **SECTION 2331g.** 196.218 (5) (a) 5m. of the statutes is created to read:

24 196.218 (5) (a) 5m. To provide statewide access, through the Internet, to
25 periodical and reference information data bases.

1 **SECTION 2332.** 196.218 (5) (a) 7. of the statutes is amended to read:

2 196.218 (5) (a) 7. To make grants awarded by the technology for educational
3 achievement in Wisconsin board to school districts and private schools under sub-
4 ~~(4r)~~ ~~(g)~~ s. 44.73 (6). This subdivision does not apply after June 30, 2002.

5 **SECTION 2332f.** 196.218 (5) (a) 8. of the statutes is created to read:

6 196.218 (5) (a) 8. To promote access to information and library services to blind
7 and visually handicapped individuals.

8 **SECTION 2332m.** 196.218 (5) (a) 9. of the statutes is created to read:

9 196.218 (5) (a) 9. To make grants under sub. (4u).

10 **SECTION 2332n.** 196.218 (5) (a) 10. of the statutes is created to read:

11 196.218 (5) (a) 10. To provide administrative services under the rehabilitation
12 teaching program for blind and visually impaired persons under s. 46.293.

13 **SECTION 2332t.** 196.218 (5) (d) of the statutes is created to read:

14 196.218 (5) (d) 1. In this paragraph, “Wisconsin works agency” has the meaning
15 given in s. 49.001 (9).

16 2. The commission shall annually provide information booklets to all Wisconsin
17 works agencies that describe the current assistance from the universal service fund
18 that is available to low-income individuals who are served by the Wisconsin works
19 agencies, including a description of how such individuals may obtain such
20 assistance. The department of workforce development shall assist the commission
21 in identifying the Wisconsin works agencies to which the commission is required to
22 submit the information required under this subdivision.

23 **SECTION 2333.** 196.218 (5m) of the statutes is amended to read:

1 196.218 **(5m)** RULE REVIEW. ~~Except for rules promulgated under sub. (4r) (b),~~
2 at At least biennially, the commission shall review and revise as appropriate rules
3 promulgated under this section.

4 **SECTION 2333m.** 196.218 (5u) of the statutes is created to read:

5 196.218 **(5u)** BIENNIAL BUDGET REQUEST. The commission shall include in its
6 biennial budget request under s. 16.42 a proposed budget for each individual
7 program for which the commission proposes to expend moneys from the universal
8 fund in the forthcoming biennium. A proposed budget under this subsection shall
9 describe each program and identify the proposed expenditure amount for each
10 program for each fiscal year of the biennium.

11 **SECTION 2334.** 196.218 (6) (b) of the statutes is amended to read:

12 196.218 **(6)** (b) The universal service fund council shall advise the commission
13 concerning the administration of this section and the content of rules promulgated
14 under this section. ~~This paragraph does not apply to the administration of sub. (4r)~~
15 ~~and rules promulgated under sub. (4r) (b).~~

16 **SECTION 2334d.** 196.31 (1) (intro.) of the statutes is amended to read:

17 196.31 **(1)** (intro.) In any proceeding before the commission, the commission
18 may shall compensate any participant in the proceeding who is not a public utility,
19 for some or all of the reasonable costs of participation in the proceeding if the
20 commission finds that:

21 **SECTION 2334h.** 196.31 (1) (a) of the statutes is amended to read:

22 196.31 **(1)** (a) The participation is necessary to provide for the record an
23 adequate presentation of a significant position in which the participant has a
24 substantial interest, and that an adequate presentation would not be possible occur
25 without a grant of compensation; or

1 **SECTION 2334p.** 196.374 of the statutes is repealed and recreated to read:

2 **196.374 Low-income assistance, energy efficiency and other**
3 **programs. (1)** In this section:

4 (a) “Department” means the department of administration.

5 (b) “Fund” means the utility public benefits fund.

6 (c) “Utility” means a Class A gas or electric utility, as defined by the
7 commission, but does not include a municipal utility, as defined in s. 16.957 (1) (q),
8 a municipal electric company, as defined in s. 66.073 (3) (d), or a cooperative
9 association organized under ch. 185.

10 **(2)** The commission shall determine the amount that each utility spent in 1998
11 on programs for each of the following:

12 (a) Low-income assistance, including low-income weatherization and writing
13 off uncollectibles and arrearages.

14 (b) Energy conservation and efficiency.

15 (c) Environmental research and development.

16 (d) Renewable resources.

17 **(3)** In 2000, 2001 and 2002, the commission shall require each utility to spend
18 a decreasing portion of the amount determined under sub. (2) on programs specified
19 in sub. (2) and contribute the remaining portion of the amount to the commission for
20 deposit in the fund. In each year after 2002, each utility shall contribute the entire
21 amount determined under sub. (2) to the commission for deposit in the fund. The
22 commission shall ensure in rate-making orders that a utility recovers from its
23 ratepayers the amounts spent on programs or contributed to the fund under this
24 subsection. The commission shall allow each utility the option of continuing to use,

1 until January 1, 2002, the moneys that it has recovered under s. 196.374 (3), 1997
2 stats., to administer the programs that it has funded under s. 196.374 (1), 1997 stats.
3 The commission may allow each utility to spend additional moneys on the programs
4 specified in sub. (2) if the utility otherwise complies with the requirements of this
5 section and s. 16.957 (4).

6 (4) If the department notifies the commission under s. 16.957 (2) (b) 2. that the
7 department has reduced funding for energy conservation and efficiency and
8 renewable resource programs by an amount that is greater than the portion of the
9 public benefits fee specified in s. 16.957 (4) (c) 2., the commission shall reduce the
10 amount that utilities are required to spend on programs or contribute to the fund
11 under sub. (3) by the portion of the reduction that exceeds the amount of public
12 benefits fees specified in s. 16.957 (4) (c) 2.

13 **SECTION 2334t.** 196.378 of the statutes is created to read:

14 **196.378 Renewable resources. (1) DEFINITIONS.** In this section:

15 (a) “Biomass” means a resource that derives energy from wood or plant
16 material or residue, biological waste, crops grown for use as a resource or landfill
17 gases. “Biomass” does not include garbage, as defined in s. 289.01 (9), or
18 nonvegetation-based industrial, commercial or household waste, except that
19 “biomass” includes refuse-derived fuel used for a renewable facility that was in
20 service in this state before January 1, 1998.

21 (am) “Biomass cofired facility” means a renewable facility in which biomass
22 and conventional resources are fired together.

23 (b) “Conventional resource” means a resource that derives energy from coal, oil,
24 nuclear power or natural gas, except for natural gas used in a fuel cell.

25 (bm) “Department” means the department of administration.

1 (c) “Electric provider” means an electric utility or retail electric cooperative.

2 (d) “Electric utility” means a public utility that sells electricity at retail. For
3 purposes of this paragraph, a public utility is not considered to sell electricity at
4 retail solely on the basis of its ownership or operation of a retail electric distribution
5 system.

6 (e) “Excludable renewable energy” means the portion of an electric provider’s
7 total renewable energy that is supplied from renewable facilities that were placed
8 in service before January 1, 1998, and that, before January 1, 1998, derived
9 electricity from hydroelectric power, even if the output of the renewable facilities is
10 used to satisfy requirements under federal law.

11 (f) “Nonsystem renewable energy” means the amount of electricity that an
12 electric provider sells to its retail customers or members and that is supplied or
13 allocated under executed wholesale purchase contracts from renewable facilities
14 that are not owned or operated by the electric provider. “Nonsystem renewable
15 energy” does not include any electricity that is not used to satisfy the electric
16 provider’s retail load obligations.

17 (g) “Renewable facility” means an installed and operational electric generating
18 facility in which electricity is derived from a renewable resource. “Renewable
19 facility” includes a facility the installation or operation of which is required under
20 federal law, but does not include a facility the installation or operation of which is
21 required under the laws of another state even if the installation or operation of the
22 facility is also required under federal law.

23 (h) “Renewable resource” means any of the following:

24 1. A resource that derives electricity from any of the following:

25 a. A fuel cell that uses, as determined by the commission, a renewable fuel.

1 b. Tidal or wave action.

2 c. Solar thermal electric or photovoltaic energy.

3 d. Wind power.

4 e. Geothermal technology.

5 g. Biomass.

6 1m. A resource with a capacity of less than 60 megawatts that derives
7 electricity from hydroelectric power.

8 2. Any other resource, except a conventional resource, that the commission
9 designates as a renewable resource in rules promulgated under sub. (4).

10 (i) “Renewable resource credit” means a credit calculated in accordance with
11 rules promulgated under sub. (3) (a).

12 (j) “Resource” means a source of energy used to generate electric power.

13 (k) “Retail electric cooperative” means a cooperative association organized
14 under ch. 185 that sells electricity at retail to its members only. For purposes of this
15 paragraph, a cooperative association is not considered to sell electricity at retail
16 solely on the basis of its ownership or operation of a retail electric distribution
17 system.

18 (n) “System renewable energy” means the amount of electricity that an electric
19 provider sells to its retail customers or members and that is supplied by renewable
20 facilities owned or operated by the electric provider.

21 (o) “Total renewable energy” means the sum of an electric provider’s system and
22 nonsystem renewable energy.

23 **(2) RENEWABLE RESOURCE ENERGY.** (a) Each electric provider shall provide to its
24 retail electric customers or members total renewable energy in at least the following

1 percentages of its total retail electric sales, either directly or through renewable
2 resource credits from another electric provider:

3 1. By December 31, 2001, 0.5%.

4 2. By December 31, 2003, 0.85%.

5 3. By December 31, 2005, 1.2%.

6 4. By December 31, 2007, 1.55%.

7 5. By December 31, 2009, 1.9%.

8 6. By December 31, 2011, 2.2%.

9 (b) For purposes of determining compliance with par. (a):

10 1. Total retail electric sales shall be calculated on the basis of an average of an
11 electric provider's retail electric sales in this state during the prior 3 years.

12 2. The amount of electricity supplied by a biomass cofired facility that may be
13 counted toward satisfying the requirements of par. (a) shall be an amount equal to
14 the product of the maximum amount of electricity that the facility is capable of
15 generating and the ratio of the energy content of the biomass fuels to the energy
16 content of both the biomass and conventional resources.

17 3. Any excludable renewable energy that exceeds 0.6% of an electric provider's
18 total retail electric sales shall be excluded from the electric provider's total
19 renewable energy.

20 4. The members of a municipal electric company, as defined in s. 66.073 (3) (d),
21 may aggregate and allocate renewable energy among themselves.

22 (c) No later than April 15 annually, an electric provider shall submit a report
23 to the department that describes the electric provider's compliance with par. (a).
24 Reports under this paragraph may include certifications from wholesale suppliers
25 regarding the sources and amounts of energy supplied to an electric provider. The

1 department may specify the documentation that is required to be included with
2 reports submitted under this paragraph.

3 (d) The commission shall allow an electric utility to recover from ratepayers the
4 cost of providing total renewable energy to its retail customers in amounts that equal
5 or exceed the percentages specified in par. (a). Subject to any approval of the
6 commission that is necessary, an electric utility may recover costs under this
7 paragraph by any of the following methods:

8 1. Allocating the costs equally to all customers on a kilowatt-hour basis.

9 2. Establishing alternative price structures, including price structures under
10 which customers pay a premium for renewable energy.

11 3. Any combination of the methods specified in subds. 1. and 2.

12 (e) 1. This subsection does not apply to any of the following:

13 a. An electric provider that provides more than 10% of its summer peak demand
14 in this state from renewable facilities.

15 b. An electric provider that provides more than 10% of its summer peak demand
16 from renewable resources.

17 2. For purposes of calculating the percentages under subd. 1., an electric
18 provider may include renewable facilities located in this or another state and
19 renewable facilities located on its or another electric provider's system.

20 3. Notwithstanding subd. 1., this subsection applies to an electric provider
21 unless the electric provider provides documentation to the commission that
22 establishes, to the satisfaction of the commission, that the electric provider satisfies
23 the requirements under subd. 1. a. or b.

24 **(3) RENEWABLE RESOURCE CREDITS.** (a) An electric provider that provides total
25 renewable energy to its retail electric customers or members in excess of the

1 percentages specified in sub. (2) (a) 1. to 6. may, in the applicable year, sell to any
2 other electric provider a renewable resource credit or a portion of a renewable
3 resource credit at any negotiated price. Alternatively, an electric provider may use
4 a renewable resource credit or portion of a renewable resource credit in a subsequent
5 year to establish compliance with sub. (2) (a). The commission shall promulgate
6 rules that establish requirements for the use of a renewable resource credit,
7 including calculating the amount of a renewable resource credit.

8 (b) The commission may promulgate rules that establish requirements and
9 procedures for a sale under par. (a).

10 **(4) RULES.** The commission may promulgate rules that designate a resource,
11 except for a conventional resource, as a renewable resource in addition to the
12 resources specified in sub. (1) (h) 1. and 1m.

13 **(5) PENALTY.** Any person who violates sub. (2) or any wholesale supplier who
14 provides an electric provider with a false or misleading certification regarding the
15 sources or amounts of energy supplied to the electric provider shall forfeit not less
16 than \$5,000 nor more than \$500,000. Forfeitures under this subsection shall be
17 enforced by action on behalf of the state by the attorney general. A court imposing
18 a forfeiture under this subsection shall consider all of the following in determining
19 the amount of the forfeiture:

20 (a) The appropriateness of the forfeiture to the person's or wholesale supplier's
21 volume of business.

22 (b) The gravity of the violation.

23 (c) Whether a violation of sub. (2) is due to circumstances beyond the violator's
24 control.

25 **SECTION 2335m.** 196.44 (2) (b) of the statutes is amended to read:

1 196.44 (2) (b) The attorney general may, on his or her own initiative, appear
2 before the commission on telecommunications matters relating to consumer
3 protection and antitrust. If acting under the authority granted by this paragraph,
4 the attorney general shall have the rights accorded a party before the commission
5 in its proceedings but may not appeal as a party a decision of the commission to the
6 circuit court. This paragraph does not apply after June 30, 1999 2001.

7 **SECTION 2335ta.** 196.485 (title) of the statutes is repealed and recreated to
8 read:

9 **196.485 (title) Transmission system requirements.**

10 **SECTION 2335tb.** 196.485 (1) (am) of the statutes is created to read:

11 196.485 (1) (am) “Contribute a transmission facility” means to divest a person’s
12 interest in the transmission facility and to transfer ownership of the transmission
13 facility, and associated deferred tax reserves and deferred investment tax credits to
14 the extent permitted by law, to another person.

15 **SECTION 2335tc.** 196.485 (1) (be) of the statutes is created to read:

16 196.485 (1) (be) “Director” means, with respect to a transmission company
17 organized as a corporation under ch. 180, a member of the board of directors of the
18 transmission company.

19 **SECTION 2335td.** 196.485 (1) (bs) of the statutes is created to read:

20 196.485 (1) (bs) “Electric utility” means any of the following:

- 21 1. A public utility that is involved in the generation, transmission, distribution
22 or sale of electric energy.
- 23 2. A retail or wholesale electric cooperative.

24 **SECTION 2335te.** 196.485 (1) (dm) (intro.) of the statutes is amended to read:

25 196.485 (1) (dm) (intro.) “Independent transmission owner” means:

1 1m. Means a person that satisfies each of the following:

2 **SECTION 2335tf.** 196.485 (1) (dm) 1. of the statutes is renumbered 196.485 (1)
3 (dm) 1m. a.

4 **SECTION 2335tg.** 196.485 (1) (dm) 2. of the statutes is created to read:
5 196.485 (1) (dm) 2. Does not include the transmission company.

6 **SECTION 2335th.** 196.485 (1) (dm) 3. of the statutes is renumbered 196.485 (1)
7 (dm) 1m. b. and amended to read:

8 196.485 (1) (dm) 1m. b. The person is not an affiliated interest of a person
9 specified in subd. ~~1.~~ 1m. a.

10 **SECTION 2335ti.** 196.485 (1) (do) of the statutes is created to read:

11 196.485 (1) (do) “Land right” means any right in real property, including fee
12 simple ownership or a right-of-way or easement, that has been acquired for a
13 transmission facility that is located or intended to be located on the real property.

14 **SECTION 2335tk.** 196.485 (1) (dq) of the statutes is created to read:

15 196.485 (1) (dq) “Manager” means, with respect to a transmission company
16 organized as a limited liability company under ch. 183, the representatives of the
17 security holders that are elected or appointed under sub. (3m) (c).

18 **SECTION 2335tL.** 196.485 (1) (dr) of the statutes is created to read:

19 196.485 (1) (dr) “Merger enforcement policy” means the enforcement policy of
20 the federal department of justice and the federal trade commission regarding
21 horizontal acquisitions and mergers that are subject to 15 USC 1, 18 or 45.

22 **SECTION 2335tm.** 196.485 (1) (ds) of the statutes is created to read:

23 196.485 (1) (ds) “Midwest independent system operator” means the
24 independent system operator the establishment of which the federal energy

1 regulatory commission has conditionally authorized in an order issued on
2 September 16, 1998, or the successor to such independent system operator.

3 **SECTION 2335tn.** 196.485 (1) (dt) of the statutes is created to read:

4 196.485 (1) (dt) “Nontransmission utility security holder” means a security
5 holder that is not a transmission utility security holder.

6 **SECTION 2335to.** 196.485 (1) (dv) of the statutes is created to read:

7 196.485 (1) (dv) “Organizational start-up date” means, with respect to a
8 transmission company that is organized as a limited liability company under ch. 183,
9 the date on which the articles of organization become effective under s. 183.0111 or,
10 with respect to a transmission company that is organized as a corporation under ch.
11 180, the date on which the articles of incorporation become effective under s.
12 180.0123.

13 **SECTION 2335tp.** 196.485 (1) (em) of the statutes is created to read:

14 196.485 (1) (em) “Retail electric cooperative” means a cooperative that provides
15 retail electric service to its members.

16 **SECTION 2335tq.** 196.485 (1) (fe) of the statutes is created to read:

17 196.485 (1) (fe) “Security” means, with respect to a transmission company
18 organized as a corporation under ch. 180, a share, as defined in s. 180.0103 (15), and,
19 with respect to a transmission company organized as a limited liability company
20 under ch. 183, a limited liability company interest, as defined in s. 183.0102 (11).

21 **SECTION 2335tr.** 196.485 (1) (ge) of the statutes is created to read:

22 196.485 (1) (ge) “Transmission company” means a corporation organized under
23 ch. 180 or a limited liability company organized under ch. 183 that has as its sole
24 purpose the planning, constructing, operating, maintaining and expanding of
25 transmission facilities that it owns to provide for an adequate and reliable

1 transmission system that meets the needs of all users that are dependent on the
2 transmission system and that supports effective competition in energy markets
3 without favoring any market participant.

4 **SECTION 2335ts.** 196.485 (1) (gm) of the statutes is created to read:

5 196.485 (1) (gm) “Transmission dependent utility” means an electric utility
6 that is not a transmission utility and that is dependent on the transmission system
7 of another person for delivering electricity to the electric utility’s customers.

8 **SECTION 2335tt.** 196.485 (1) (j) of the statutes is created to read:

9 196.485 (1) (j) “Transmission utility security holder” means a person that is a
10 security holder of a transmission company, is an investor–owned transmission utility
11 in the transmission area and has contributed its transmission facilities to the
12 transmission company.

13 **SECTION 2335ttm.** 196.485 (1) (k) of the statutes is created to read:

14 196.485 (1) (k) “Wholesale electric cooperative” means a cooperative that
15 provides wholesale electric service to its members.

16 **SECTION 2335tu.** 196.485 (1m) of the statutes is created to read:

17 196.485 (1m) DUTY TO PROVIDE TRANSMISSION SERVICE. (a) The duty of any
18 electric utility that has contributed its transmission facilities to the transmission
19 company to finance, construct, maintain or operate a transmission facility shall
20 terminate on the date, as determined by the commission under sub. (2) (d), that the
21 transmission company begins operations.

22 (b) After beginning operations, the transmission company shall, except for
23 transmission service provided by an electric utility that has not transferred its
24 transmission facilities to the the transmission company, have the exclusive duty to
25 provide transmission service in those areas in which transmission facilities have

1 been contributed. The duty under this paragraph shall terminate on the date, as
2 determined by the commission under sub. (2) (d), that the Midwest independent
3 system operator begins operations.

4 (c) After beginning operations, the Midwest independent system operator
5 shall, except for transmission service provided by an electric utility that has not
6 transferred control over its transmission facilities to the Midwest independent
7 system operator, have the exclusive duty to provide transmission service in the
8 transmission area and shall ensure that each transmission facility in the
9 transmission area that is under its operational control is planned, constructed,
10 operated, maintained and controlled as part of a single transmission system.

11 **SECTION 2335tv.** 196.485 (2) (a) (intro.) of the statutes is amended to read:

12 196.485 (2) (a) (intro.) By June 30, 2000, if a transmission utility has not
13 transferred control over its transmission facilities to an independent system
14 operator that is approved by the applicable federal agency or divested, with approval
15 of the applicable federal agency and, for a public utility, the commission, its interest
16 in its transmission facilities to an independent transmission owner, the commission
17 shall, subject to ~~par.~~ pars. (am) and (ar), order the transmission utility to apply to the
18 applicable federal agency to do one of the following:

19 **SECTION 2335tw.** 196.485 (2) (ar) of the statutes is created to read:

20 196.485 (2) (ar) The commission shall waive the requirement to issue an order
21 against a transmission utility under par. (a) if the transmission utility shows, to the
22 satisfaction of the commission, that a transfer of its transmission facilities to the
23 Midwest independent system operator may have the effect of jeopardizing the
24 tax-exempt status of the transmission utility or its securities under the Internal
25 Revenue Code. A waiver under this paragraph shall be in effect until the commission

1 determines that the proposed transfer does not have the effect described in this
2 paragraph.

3 **SECTION 2335tx.** 196.485 (2) (bx) of the statutes is created to read:

4 196.485 (2) (bx) If the Midwest system operator fails to commence operations
5 or ceases operations, the requirements of this section that apply to the Midwest
6 independent system operator shall apply to any other independent system operator
7 or regional transmission organization that is authorized under federal law to operate
8 in this state. The commission shall require that any transfer of transmission
9 facilities to such independent system operator or regional transmission organization
10 satisfies the requirements of this section.

11 **SECTION 2335ty.** 196.485 (2) (d) of the statutes is created to read:

12 196.485 (2) (d) The commission shall determine each of the following:

- 13 1. The date on which the transmission company begins operations.
14 2. Whether the Midwest independent system operator has begun operations
15 and the date on which such operations have begun.

16 **SECTION 2335tz.** 196.485 (3) (bm) of the statutes is repealed.

17 **SECTION 2335ub.** 196.485 (3m) of the statutes is created to read:

18 196.485 (3m) TRANSMISSION COMPANY. (a) *Duties.* 1. The transmission company
19 shall do each of the following:

20 a. Apply for any approval under state or federal law that is necessary for the
21 transmission company to begin operations no later than November 1, 2000.

22 b. Subject to any approval required under state or federal law, contract with
23 each transmission utility that has transferred transmission facilities to the
24 transmission company for the transmission utility to provide reasonable and
25 cost-effective operation and maintenance services to the transmission company

1 during the 3-year period after the transmission company first begins operations.
2 The transmission company and a transmission utility may, subject to any approval
3 required under federal or state law, agree to an extension of such 3-year period.

4 c. Assume the obligations of a transmission utility that has transferred
5 ownership of its transmission facilities to the transmission company under any
6 agreement by the transmission utility to provide transmission service over its
7 transmission facilities or credits for the use of transmission facilities, except that the
8 transmission company may modify such an agreement to the extent allowed under
9 the agreement and to the extent allowed under state or federal law.

10 d. Apply for membership in the Midwest independent system operator as a
11 single zone for pricing purposes that includes the transmission area and, upon a
12 determination by the commission under sub. (2) (d) that the Midwest independent
13 system operator has begun operations, transfer operational control of the
14 transmission company's transmission facilities to the Midwest independent system
15 operator.

16 e. Remain a member of the Midwest independent system operator, or any
17 independent system operator or regional transmission organization that has been
18 approved under federal law to succeed the Midwest independent system operator, for
19 at least the 6-year transition period that is specified in the agreement conditionally
20 approved by the federal energy regulatory commission that establishes the Midwest
21 independent system operator.

22 f. Subject to subd. 4., elect to be included in a single zone for the purpose of any
23 tariff administered by the Midwest independent system operator.

24 2. The transmission company may not do any of the following:

1 a. Sell or transfer its assets to, or merge its assets with, another person, unless
2 the assets are sold, transferred or merged on an integrated basis and in a manner
3 that ensures that the transmission facilities in the transmission area are planned,
4 constructed, operated, maintained and controlled as a single transmission system.

5 b. Bypass the distribution facilities of an electric utility or provide service
6 directly to a retail customer or member.

7 c. Own electric generation facilities or sell, market or broker electric capacity
8 or energy in a relevant wholesale or retail market as determined by the commission,
9 except that, if authorized or required by the federal energy regulatory commission,
10 the transmission company may procure or resell ancillary services obtained from 3rd
11 parties, engage in redispatch activities that are necessary to relieve transmission
12 constraints or operate a control area.

13 3. Notwithstanding subd. 1. a., the transmission company may not begin
14 operations until it provides an opinion to the commission from a nationally
15 recognized investment banking firm that the transmission company is able to
16 finance, at a reasonable cost, its start-up costs, working capital and operating
17 expenses and the cost of any new facilities that are planned.

18 4. If the transmission charges or rates of any transmission utility in the
19 transmission area are 10% or more below the average transmission charges or rates
20 of the transmission utilities in the transmission area on the date, as determined by
21 the commission, that the last public utility affiliate files a commitment with the
22 commission under sub. (5) (a) 2., the transmission company shall, after consulting
23 with each public utility affiliate that has filed a commitment under sub. (5) (a) 2.,
24 prepare a plan for phasing in a combined single zone rate for the purpose of pricing
25 network use by users of the transmission system operated by the Midwest

1 independent system operator and shall seek plan approval by the federal energy
2 regulatory commission and the Midwest independent system operator. A plan under
3 this subdivision shall phase in an average-cost price for the combined single zone in
4 equal increments over a 5-year period, except that, under the plan, transmission
5 service shall be provided to all users of the transmission system on a single-zone
6 basis during the phase-in period.

7 (b) *Powers.* The transmission company may do any of the following:

8 1. Subject to the approval of the commission under s. 196.491 (3), construct and
9 own transmission facilities, including high-voltage transmission lines, as defined in
10 s. 196.491 (1) (f), in the transmission area or in any other area of the state in which
11 transmission facilities that have been contributed to the transmission company are
12 located. This subdivision does not affect the right or duty of an electric utility that
13 is not located in the transmission area or that has not contributed its transmission
14 facilities to the transmission company to construct or own transmission facilities.

15 2. Subject to any approval required under state or federal law, purchase or
16 acquire transmission facilities in addition to the transmission facilities contributed
17 under sub. (5) (b).

18 (c) *Organization.* The operating agreement, as defined in s. 183.0102 (16), of
19 a transmission company that is organized as a limited liability company under ch.
20 183 or the bylaws of a transmission company that is organized as a corporation under
21 ch. 180 shall provide for each of the following:

22 1. That the transmission company has no less than 5 nor more than 14
23 managers or directors, except that the operating agreement or bylaws may allow the
24 requirements of this subdivision to be modified upon a unanimous vote of the
25 managers or directors during the 10-year period after the organizational start-up

1 date or upon a two-thirds vote of the board of directors or managers after such
2 10-year period.

3 2. That at least 4 managers or directors of the transmission company have
4 staggered 4-year terms, are elected by a majority vote of the voting security holders
5 and are not directors, employees or independent contractors of a person engaged in
6 the production, sale, marketing, transmission or distribution of electricity or natural
7 gas or of an affiliate of such a person.

8 3. That, during the 10-year period after the organizational start-up date, each
9 of the following is satisfied, subject to the limitation on the number of managers or
10 directors under subd. 1.:

11 a. Each nontransmission utility security holder that owns 10% or more of the
12 outstanding voting securities of the transmission company may appoint one
13 manager or director of the transmission company for a one-year term, except that
14 the requirements of this subd. 3. a. may be modified upon a unanimous vote of the
15 managers or directors.

16 b. Each group of nontransmission utility security holders that, as a group, owns
17 10% or more of the outstanding voting securities of the transmission company may
18 appoint one manager or director of the transmission company for a one-year term
19 if the group has entered into a written agreement regarding the appointment and the
20 group files the agreement with the transmission company, except that the
21 requirements of this subd. 3. b. may be modified upon a unanimous vote of the
22 managers or directors.

23 bg. Each nontransmission utility security holder that makes an appointment
24 under subd. 3. a. is not allowed to make an appointment under subd. 3. b. as a
25 member of a group of nontransmission utility security holders.

1 br. Each nontransmission utility security holder that makes an appointment
2 as a member of a group under subd. 3. b. is not allowed to make an appointment
3 under subd. 3. a.

4 c. Each person that receives at least 5% of the voting securities of the
5 transmission company under sub. (6) (a) 1. or 3. may appoint one manager or director
6 of the transmission company for a one-year term if the person continues to hold at
7 least a 5% equity interest in the transmission company during the one-year term
8 and if the person does not make an appointment under subd. 3. a., b. or d.

9 d. Each transmission utility security holder may appoint one manager or
10 director of the transmission company for a one-year term.

11 4. That, during the 5-year period after the organizational start-up date, no
12 public utility affiliate that contributes transmission facility assets to the
13 transmission company under sub. (5) (b) and no affiliate of such a public utility
14 affiliate may increase its percentage share of the outstanding securities of the
15 transmission company prior to any initial issuance of securities by the transmission
16 company to any 3rd party other than a 3rd party exercising its right to purchase
17 securities under sub. (6) (a) 3., except that this subdivision does not apply to
18 securities that are issued by the transmission company in exchange for transmission
19 facilities that are contributed in addition to the transmission facilities that are
20 contributed under sub. (5) (b) and except that the requirements of this subdivision
21 may be modified upon a unanimous vote of the managers or directors.

22 5. That, beginning 3 years after the organizational start-up date, any holder
23 of 10% or more of the securities of the transmission company may require the
24 transmission company to comply with any state or federal law that is necessary for
25 the security holder to sell or transfer its shares.

1 (d) *Commission jurisdiction.* The transmission company is subject to the
2 jurisdiction of the commission except to the extent that it is subject to the exclusive
3 jurisdiction of the federal energy regulatory commission.

4 **SECTION 2335ud.** 196.485 (4) (a) (intro.) of the statutes is amended to read:

5 196.485 (4) (a) (intro.) ~~A Except as provided in par. (am).~~ a transmission utility
6 may not transfer control over, or divest its interest in, its transmission facilities to
7 an independent system operator or independent transmission owner unless, to the
8 satisfaction of the commission, each of the following requirements is satisfied:

9 **SECTION 2335uf.** 196.485 (4) (am) of the statutes is created to read:

10 196.485 (4) (am) Each transmission utility in the transmission area that is a
11 public utility shall become a member of the Midwest independent system operator
12 no later than June 30, 2000, and shall transfer operational control over its
13 transmission facilities to the Midwest independent system operator. Each such
14 transmission utility that has not contributed its transmission facilities to the
15 transmission company shall elect to become part of the single zone for pricing
16 purposes within the Midwest independent system operator and any phase-in plan
17 prepared under sub. (3m) (a) 4.

18 **SECTION 2335uh.** 196.485 (5) of the statutes is created to read:

19 196.485 (5) PUBLIC UTILITY AFFILIATES. (a) *Asset cap exception.* Section 196.795
20 (6m) (e) does not apply to the eligible assets of a nonutility affiliate in a holding
21 company system unless each public utility affiliate in the holding company system
22 does each of the following:

23 1. Petitions the commission and the federal energy regulatory commission to
24 approve the transfer of operational control of all the public utility affiliate's

1 transmission facilities in this state and in Iowa, Michigan, Minnesota and Illinois to
2 the Midwest independent system operator.

3 2. Files with the commission an unconditional, irrevocable and binding
4 commitment to contribute, no later than September 30, 2000, all of the transmission
5 facilities that the public utility affiliate owns or operates in this state on the effective
6 date of this subdivision ... [revisor inserts date], and land rights, to the transmission
7 company. A filing under this subdivision shall specify a date no later than
8 September 30, 2000, on which the public utility affiliate will complete the
9 contribution of transmission facilities.

10 3. Files with the commission an unconditional, irrevocable and binding
11 commitment to contribute, and to cause each entity into which it merges or
12 consolidates or to which it transfers substantially all of its assets to contribute, any
13 transmission facility in this state the ownership or control of which it acquires after
14 the effective date of this subdivision ... [revisor inserts date], and land rights, to the
15 transmission company.

16 4. Notifies the commission in writing that the public utility affiliate has become
17 a member of the Midwest independent system operator, has agreed to transfer its
18 transmission facilities to the Midwest independent system operator and has
19 committed not to withdraw its membership prior to the date on which the public
20 utility affiliate contributes transmission facilities to the transmission company
21 under par. (b).

22 5. Petitions the commission and the federal energy regulatory commission to
23 approve the contributions specified in subds. 2. and 3. and agrees in such a petition
24 not to withdraw the petition in the event that the commission or the federal energy

1 regulatory commission conditions its approval on changes that are consistent with
2 state and federal law.

3 (b) *Contribution of transmission facilities.* 1. A public utility affiliate may not
4 contribute a transmission facility to the transmission company until the commission
5 has reviewed the terms and conditions of the transfer to determine whether the
6 transfer satisfies the requirements of this subsection and has issued an order
7 approving the terms and conditions of the transfer. The commission may modify the
8 terms and conditions of the transfer and take any other action necessary to satisfy
9 the requirements of this subsection. An order under this subdivision that approves
10 or modifies the terms and conditions of a transfer may allow a public utility affiliate
11 to recover in retail rates any adverse tax consequences of the transfer as a transition
12 cost.

13 2. The transmission company and a public utility affiliate that files a
14 commitment to contribute transmission facilities under par. (a) 2. shall structure the
15 transfer of the transmission facilities in a manner that satisfies each of the following:

16 a. The structure of the transfer avoids or minimizes material adverse tax
17 consequences to the public utility affiliate from the transfer and avoids or minimizes
18 material adverse consequences on public utility rates that do not arise out of
19 combining the transmission company's facilities into a single zone in the Midwest
20 independent system operator.

21 b. To the extent practicable, the structure of the transfer satisfies the
22 requirements of the Internal Revenue Service for a tax-free transfer.

23 3. The requirements under subd. 2. b. shall, if practicable, be satisfied by the
24 transmission company's issuance of a preferred class of securities that provides the
25 fixed-cost portion of the resulting capital structure of the transmission company.

1 The transmission company shall issue preferred securities under this subdivision on
2 a basis that does not dilute the voting rights of the initial security holders relative
3 to the value of their initial contributions.

4 4. If the transfer of transmission assets under this paragraph results in a
5 capital structure of the transmission company in which the percentage of common
6 equity is materially higher than that of the public utility affiliates who made the
7 transfer, or if the cost of the fixed-cost portion of the capital structure of the
8 transmission company is materially higher than that of the public utility affiliates
9 who made the transfer, the public utility affiliates shall enter into a contract with the
10 transmission company under which the public utility affiliates agree to accept from
11 the transmission company a return on common equity based upon the equity rate of
12 return approved by the federal energy regulatory commission and upon an imputed
13 capital structure that assigns to a portion of the public utility affiliates' common
14 equity holdings an imputed debt return that is consistent with the requirements of
15 this subdivision. A contract under this subdivision shall specify that the public
16 utility affiliates shall be required to accept the return on common equity described
17 in this subdivision only until such time that the federal energy regulatory
18 commission determines that the actual capital structure and capital costs of the
19 transmission company are appropriate and consistent with industry practice for a
20 regulated public utility that provides electric transmission service in interstate
21 commerce.

22 5. If, at the time that a public utility affiliate files a commitment under par. (a)
23 2., the public utility affiliate has applied for or obtained a certificate of public
24 convenience and necessity under s. 196.491 (3) or a certificate under s. 196.49 for the

1 construction of transmission facilities, the public utility affiliate shall do each of the
2 following:

3 a. Proceed with diligence with respect to obtaining the certificate and, except
4 as provided in subd. 6., constructing the transmission facilities.

5 b. If the commission determines that the cost of the transmission facilities is
6 reasonable and prudent, transfer the transmission facilities to the transmission
7 company at net book value when construction is completed in exchange for additional
8 securities of the transmission company on a basis that is consistent with the
9 securities that were initially issued to the public utility affiliate.

10 6. If the construction of a transmission facility specified in subd. 5. a. is not
11 completed within 3 years after a certificate is issued for the transmission facility
12 under s. 196.49 or 196.491 (3), the transmission company may assume responsibility
13 for completing construction of the transmission facility. If the transmission company
14 assumes responsibility for completing construction under this subdivision, the
15 transmission company shall carry out any obligation under any contract entered into
16 by the public utility with respect to the construction until the contract is modified or
17 rescinded by the transmission company to the extent allowed under the contract.

18 7. Any transmission facilities that are contributed to the transmission
19 company shall be valued at net book value determined on the basis of the regulated
20 books of account at the time of the transfer.

21 (bm) *Lease of transmission facilities.* If a public utility affiliate is not able to
22 contribute its transmission facilities to the transmission company as required under
23 par. (b) due to merger-related accounting requirements, the public utility affiliate
24 shall transfer the transmission facilities to the transmission company under a lease
25 for the period of time during which the accounting requirements are in effect and,

1 after such requirements are no longer in effect, contribute the transmission facilities
2 to the transmission company under par. (b). A public utility affiliate that transfers
3 transmission facilities under a lease under this paragraph does not qualify for the
4 asset cap exception under par. (a) unless, during the term of the lease, the public
5 utility affiliate does not receive any voting interest in the transmission company.

6 (c) *Contribution of land rights.* 1. A public utility affiliate that commits to
7 contributing land rights to the transmission company under par. (a) 2. shall do each
8 of the following:

9 a. Except as provided in subd. 2., if the land right is assigned to a transmission
10 account for rate-making purposes and is not jointly used for electric and gas
11 distribution facilities by the public utility affiliate, the public utility affiliate shall
12 convey or assign at book value all of its interest in the land right to the transmission
13 company, except that any conveyance or assignment under this subd. 1. a. shall be
14 subject to the rights of any joint user of the land right and to the right of the public
15 utility affiliate to nondiscriminatory access to the real estate that is subject to the
16 land right.

17 b. If the land right is jointly used, or is intended to be jointly used, for electric
18 and gas distribution facilities by the public utility affiliate, the public utility affiliate
19 shall enter into a contract with the transmission company that grants the
20 transmission company a right to place, maintain, modify or replace the transmission
21 company's transmission facilities on the real property that is subject to the land right
22 during the life of the transmission facilities and the life of any replacements of the
23 transmission facilities. A right granted in a contract under this subd. 1. b. shall be
24 paramount to the right of any other user of the land right, except that a right granted

1 in such a contract shall be on par with the right of the public utility affiliate to use
2 the land right for electric or gas distribution facilities.

3 2. If a public utility affiliate is prohibited from making a conveyance or
4 assignment described in subd. 1. a., the public utility affiliate shall enter into a
5 contract with the transmission company that grants the transmission company
6 substantially the same rights as under such a conveyance or assignment. For
7 purposes of a contract under this subdivision, a land right shall be valued at book
8 value, not at market value.

9 3. The commission shall resolve any dispute over the contribution of a land
10 right under subd. 1. or 2., including a dispute over the valuation of such a land right,
11 unless a federal agency exercises jurisdiction over the dispute. During the pendency
12 of any dispute that is before the commission or a federal agency, the transmission
13 company shall be entitled to use the land right that is the subject to the dispute and
14 shall be required to pay any compensation that is in dispute into an escrow account.

15 (d) *Applicability.* Notwithstanding sub. (1) (h), and subject to any approval
16 required under federal law, for purposes of this subsection, a facility of a public utility
17 affiliate is a transmission facility if any of the following applies:

18 1. The facility is not a radial facility and the facility is designed for operation
19 at a nominal voltage of more than 130 kilovolts.

20 2. The facility is not a radial facility and the facility is designed for operation
21 at a nominal voltage of more than 50 kilovolts but not more than 130 kilovolts, unless
22 a person has demonstrated to the commission that the facility is not a transmission
23 facility on the basis of factors for identifying a transmission facility that are specified
24 in the orders of the federal energy regulatory commission under 16 USC 824d and
25 824e.

1 3. The facility is a radial facility or is designed for operation at a nominal
2 voltage of 50 kilovolts or less, and a person has demonstrated to the commission that
3 the facility is a transmission facility on the basis of factors for identifying a
4 transmission facility that are specified in the orders of the federal energy regulatory
5 commission under 16 USC 824d and 824e.

6 **SECTION 2335uj.** 196.485 (6) of the statutes is created to read:

7 196.485 (6) ELECTRIC UTILITIES, TRANSMISSION DEPENDENT UTILITIES AND RETAIL
8 ELECTRIC COOPERATIVES. (a) No later than the first day of the 12th month beginning
9 after the first public utility affiliate files a commitment under sub. (5) (a) 2.:

10 1. An electric utility, other than a public utility affiliate or an owner or operator
11 of a wholesale merchant plant, as defined in s. 196.491 (1) (w), may transfer all of its
12 transmission facilities that are specified in subd. 2. to the transmission company on
13 the same terms and conditions as a contribution of transmission facilities and land
14 rights by a public utility affiliate under sub. (5) (b) and (c).

15 2. An electric utility may transfer transmission facilities under subd. 1. if the
16 transmission facilities are located in the geographic area that is served by the
17 Mid–America Interconnected Network, Inc., or the Mid–Continent Area Power Pool
18 reliability council of the North American Electric Reliability Council.

19 3. A transmission–dependent utility or retail electric cooperative may
20 purchase equity interests in the transmission company at a price that is equivalent
21 to net book value and on terms and conditions that are comparable to those for public
22 utility affiliates that have contributed transmission facilities to the transmission
23 company. A purchaser under this subdivision may contribute funds to the
24 transmission company that are no more than the value of its prorated shares based
25 on firm electric usage in this state in 1999.

1 (b) Notwithstanding sub. (1) (h), and subject to any approval required under
2 federal law, for purposes of this subsection, a facility of an electric utility is a
3 transmission facility if the criteria specified in sub. (5) (d) 1., 2. or 3. are satisfied.

4 **SECTION 2335uk.** 196.485 (6m) of the statutes is created to read:

5 196.485 **(6m)** DIVIDENDS, DISTRIBUTIONS, PROFITS AND GAINS. The commission
6 may not treat any dividend or distribution received by a transmission utility from
7 the transmission company or any gain or profit of a transmission utility from the sale
8 or other disposition of securities issued by the transmission company as a credit
9 against the retail revenue requirements of the transmission utility.

10 **SECTION 2335um.** 196.485 (7) of the statutes is created to read:

11 196.485 **(7)** ENFORCEMENT. A wholesale or retail customer of a public utility
12 affiliate may petition the circuit court for Dane County for specific performance of
13 a commitment filed under sub. (5) (a) 2. or 3.

14 **SECTION 2335uo.** 196.485 (8) of the statutes is created to read:

15 196.485 **(8)** PENALTIES. A public utility affiliate that fails to complete the
16 contribution of transmission facilities to the transmission company by the
17 completion date specified in the filing under sub. (5) (a) 2. shall forfeit \$25,000 for
18 each day that completion of the contribution is delayed if the transmission company
19 is legally able to accept the contribution.

20 **SECTION 2335uq.** 196.487 of the statutes is created to read:

21 **196.487 Reliability of electric service. (1)** DEFINITIONS. In this section:

22 (a) “Public utility affiliate” has the meaning given in s. 196.795 (1) (L).

23 (b) “Transmission company” has the meaning given in s. 196.485 (1) (ge).

24 **(2)** COMMISSION ORDER. If the commission determines that a public utility
25 affiliate or the transmission company is not making investments in the facilities

1 under its control that are sufficient to ensure reliable electric service, the commission
2 shall order the public utility affiliate or transmission company to make adequate
3 investments in its facilities that are sufficient to ensure reliable electric service. An
4 order under this subsection shall require the public utility affiliate or transmission
5 company to provide security in an amount and form that, to the satisfaction of the
6 commission, is sufficient to ensure that the public utility affiliate or transmission
7 company expeditiously makes any investment that is ordered.

8 **(3) COST RECOVERY.** The commission shall allow a public utility affiliate that is
9 subject to an order under sub. (2) to recover in its retail electric rates the costs that
10 are prudently incurred in complying with the order.

11 **SECTION 2335wb.** 196.491 (3) (d) 3r. of the statutes is created to read:

12 196.491 **(3)** (d) 3r. For a high-voltage transmission line that is proposed to
13 increase the transmission import capability into this state, existing rights-of-way
14 are used to the extent practicable and the routing and design of the high-voltage
15 transmission line minimizes environmental impacts in a manner that is consistent
16 with achieving reasonable electric rates.

17 **SECTION 2335wd.** 196.491 (3) (d) 3t. of the statutes is created to read:

18 196.491 **(3)** (d) 3t. For a high-voltage transmission line that is designed for
19 operation at a nominal voltage of 345 kilovolts or more, the high-voltage
20 transmission line provides usage, service or increased regional reliability benefits to
21 the wholesale and retail customers or members in this state and the benefits of the
22 high-voltage transmission line are reasonable in relation to the cost of the
23 high-voltage transmission line.

24 **SECTION 2335wf.** 196.491 (3) (gm) of the statutes is created to read:

1 196.491 (3) (gm) The commission may not approve an application filed after the
2 effective date of this paragraph [revisor inserts date], under this section for a
3 certificate of public convenience and necessity for a high-voltage transmission line
4 that is designed for operation at a nominal voltage of 345 kilovolts or more unless the
5 approval includes the condition that the applicant shall pay the fees specified in sub.
6 (3g) (a). If the commission has approved an application under this section for a
7 certificate of public convenience and necessity for a high-voltage transmission line
8 that is designed for operation at a nominal voltage of 345 kilovolts or more that was
9 filed after April 1, 1999, and before the effective date of this paragraph [revisor
10 inserts date], the commission shall require the applicant to pay the fees specified in
11 sub. (3g) (a). For any application subject to this paragraph, the commission shall
12 determine the cost of the high-voltage transmission line, identify the counties,
13 towns, villages and cities through which the high-voltage transmission line is routed
14 and allocate the amount of investment associated with the high-voltage
15 transmission line to each such county, town, village and city.

16 **SECTION 2335wh.** 196.491 (3g) of the statutes is created to read:

17 196.491 (3g) FEES FOR CERTAIN HIGH-VOLTAGE TRANSMISSION LINES. (a) A person
18 who receives a certificate of public convenience and necessity for a high-voltage
19 transmission line that is designed for operation at a nominal voltage of 345 kilovolts
20 or more under sub. (3) shall pay the department of administration an annual impact
21 fee as specified in the rules promulgated by the department of administration under
22 s. 16.969 (2) (a) and shall pay the department of administration a one-time
23 environmental impact fee as specified in the rules promulgated by the department
24 of administration under s. 16.969 (2) (b).

1 (b) A person that pays a fee under par. (a) may not use the payment to offset
2 any other mitigation measure that is required in an order by the commission under
3 sub. (3) regarding the certificate of public convenience and necessity specified in par.
4 (a).

5 **SECTION 2335wj.** 196.491 (3m) (b) 2. of the statutes is amended to read:

6 196.491 (3m) (b) 2. The analytical process specified in subd. 1. b. shall, to the
7 extent practicable, be consistent with the analytical process described in the merger
8 enforcement policy of the federal department of justice and the federal trade
9 commission regarding horizontal acquisitions and mergers that are subject to 15
10 USC 1, 18 or 45, as defined in s. 196.485 (1) (dr).

11 **SECTION 2335wL.** 196.494 (3) of the statutes is amended to read:

12 196.494 (3) ~~No later than December 31, 2004, the~~ The commission may shall,
13 under this subsection, issue an order requiring the transmission company, as defined
14 in s. 196.485 (1) (ge), or an electric utility to construct or procure, on a competitive
15 basis, the construction of transmission facilities specified by the commission in its
16 order if the commission determines that, based on the results of the study under sub-
17 (2), such construction is necessary to relieve a constraint on a transmission system
18 and the construction will materially benefit the customers of the transmission
19 company or electric utility or other electric utilities or of an independent system
20 operator, as defined in s. 196.485 (1) (d), or independent transmission owner, as
21 defined in s. 196.485 (1) (dm).

22 **SECTION 2335wn.** 196.494 (5) of the statutes is created to read:

23 196.494 (5) The governor may, on behalf of this state, enter into an interstate
24 compact that establishes a joint process for the states in the upper midwest region
25 of the United States to determine the need for and siting of regional electric

1 transmission facilities that may affect electric service in this state. The governor
2 may not enter into a compact under this subsection unless the compact includes
3 requirements and procedures for establishing each of the following:

4 (a) Compliance with each state's environmental and siting standards for
5 transmission facilities.

6 (b) A regional need determination for transmission facilities.

7 (c) A mechanism for resolving conflicts between the states regarding the siting
8 of transmission facilities.

9 **SECTION 2335wp.** 196.52 (3) (a) of the statutes is amended to read:

10 196.52 (3) (a) In this subsection, "contract or arrangement" means a contract
11 or arrangement providing for the furnishing of management, supervisory,
12 construction, engineering, accounting, legal, financial or similar services and any
13 contract or arrangement for the purchase, sale, lease or exchange of any property,
14 right, or thing, or for the furnishing of any service, property, right, or thing, other
15 than management, supervisory, construction, engineering, accounting, legal,
16 financial or similar services, but "contract or arrangement" does not include a
17 contract or arrangement under which a transmission utility, as defined in s. 196.485
18 (1) (i), sells or transfers securities, as defined in s. 196.485 (1) (fe), that have been
19 issued by a transmission company, as defined in s. 196.485 (1) (ge). Except as
20 provided under par. (b), unless and until the commission gives its written approval,
21 any contract or arrangement is not valid or effective if the contract or arrangement
22 is made between a public utility and an affiliated interest after June 7, 1931. Every
23 public utility shall file with the commission a verified copy of any contract or
24 arrangement, a verified summary of any unwritten contract or arrangement, and
25 any contract or arrangement, written or unwritten, which was in effect on June 7,

1 1931. The commission shall approve a contract or arrangement made or entered into
2 after June 7, 1931, only if it shall clearly appear and be established upon
3 investigation that it is reasonable and consistent with the public interest. The
4 commission may not approve any contract or arrangement unless satisfactory proof
5 is submitted to the commission of the cost to the affiliated interest of rendering the
6 services or of furnishing the property or service to each public utility or of the cost
7 to the public utility of rendering the services or of furnishing the property or service
8 to each affiliated interest. No proof is satisfactory under this paragraph unless it
9 includes the original (or verified copies) of the relevant cost records and other
10 relevant accounts of the affiliated interest, or an abstract of the records and accounts
11 or a summary taken from the records and accounts if the commission deems the
12 abstract or summary adequate. The accounts shall be properly identified and duly
13 authenticated. The commission, where reasonable, may approve or disapprove a
14 contract or arrangement without submission of the cost records or accounts.

15 **SECTION 2335wr.** 196.77 of the statutes is amended to read:

16 **196.77 Promotional rates.** Except as provided in this section, nothing in this
17 chapter prohibits a telecommunications utility from filing a tariff to make a limited
18 offering of promotional rates. A promotional rate under this section shall take effect
19 automatically at the time specified in the tariff ~~but not earlier than 10 days after the~~
20 ~~date the tariff is filed with the commission~~ unless the commission authorizes an
21 ~~earlier effective date or~~ suspends the tariff within 10 days after the date on which
22 it is filed. The commission may suspend a tariff if it believes that the tariff violates
23 s. 196.204, 196.209 or 196.219. If the commission suspends a tariff, it shall
24 investigate and resolve the matter within 60 days after the date on which the tariff
25 is suspended or the tariff shall be effective as filed.

1 **SECTION 2335ya.** 196.795 (1) (g) 1. of the statutes is amended to read:

2 196.795 (1) (g) 1. As a beneficial owner, to take, hold or acquire 5% or more of
3 the outstanding voting securities of a public utility, other than a transmission
4 company, with the unconditional power to vote those securities.

5 **SECTION 2335yb.** 196.795 (1) (g) 2. of the statutes is amended to read:

6 196.795 (1) (g) 2. To exchange or convert 50% or more of the outstanding voting
7 securities of a public utility, other than a municipality or other political subdivision
8 or a transmission company, for or into the voting securities of a company organized,
9 created, appointed or formed by or at the direction of the public utility or of a
10 subsidiary of such company.

11 **SECTION 2335yc.** 196.795 (1) (h) 3. of the statutes is created to read:

12 196.795 (1) (h) 3. “Holding company” does not include a transmission company.

13 **SECTION 2335yd.** 196.795 (1) (p) of the statutes is created to read:

14 196.795 (1) (p) “Transmission company” has the meaning given in s. 196.485
15 (1) (ge).

16 **SECTION 2335ye.** 196.795 (5) (i) 1. of the statutes is amended to read:

17 196.795 (5) (i) 1. Shall consider the public utility affiliate as a wholly
18 independent corporation and shall impute a capital structure to the public utility
19 affiliate and establish a cost of capital for the public utility affiliate on a stand-alone
20 basis;

21 **SECTION 2335yf.** 196.795 (5) (p) 1., 2., 3. and 4. of the statutes are renumbered

22 196.795 (6m) (b) 1., 2., 3. and 4.

23 **SECTION 2335yg.** 196.795 (5) (pm) 1. (intro.) of the statutes is repealed.

24 **SECTION 2335yh.** 196.795 (5) (pm) 1. a. of the statutes is renumbered 196.795
25 (6m) (a) 3.

1 **SECTION 2335yi.** 196.795 (5) (pm) 1. b. of the statutes is renumbered 196.795
2 (6m) (a) 5.

3 **SECTION 2335yj.** 196.795 (5) (pm) 1. c. of the statutes is renumbered 196.795
4 (6m) (a) 6.

5 **SECTION 2335yk.** 196.795 (5) (pm) 2. of the statutes is renumbered 196.795
6 (6m) (c) and amended to read:

7 196.795 **(6m)** (c) Wholesale merchant plants. The assets of a wholesale
8 merchant plant shall not be included in the sum of the assets of a public utility
9 affiliate under par. (p) (b) 1. a., b. or c. and shall not be included in a nonutility
10 affiliate's total assets under par. (p) (b) 2. a. if the requirements specified in s. 196.491
11 (3m) (a) 1. and 2. are satisfied or if the wholesale merchant plant qualifies for the
12 exemption under s. 196.491 (3m) (e).

13 **SECTION 2335yL.** 196.795 (5) (pm) 3. of the statutes is renumbered 196.795
14 (6m) (d) and amended to read:

15 196.795 **(6m)** (d) Foreign affiliates. The assets of a foreign affiliate shall be
16 included in the sum of the assets of a public utility affiliate under par. (p) (b) 1. a.,
17 b. or c. and shall not be included in a nonutility affiliate's total assets under par. (p)
18 (b) 2. a.

19 **SECTION 2335ym.** 196.795 (6m) (title) of the statutes is created to read:

20 196.795 **(6m)** (title) ASSET CAP.

21 **SECTION 2335yn.** 196.795 (6m) (a) (intro.) of the statutes is created to read:

22 196.795 **(6m)** (a) Definitions. (intro.) In this subsection:

23 **SECTION 2335yo.** 196.795 (6m) (a) 1. of the statutes is created to read:

1 196.795 **(6m)** (a) 1. “Contributor public utility affiliate” means a public utility
2 affiliate that has contributed its transmission facilities to the transmission company
3 under s. 196.485 (5) (b).

4 **SECTION 2335yp.** 196.795 (6m) (a) 2. of the statutes is created to read:

5 196.795 **(6m)** (a) 2. “Eligible asset” means an asset of a nonutility affiliate that
6 is used for any of the following:

7 a. Producing, generating, transmitting, delivering, selling or furnishing gas,
8 oil, electricity or steam energy.

9 b. Providing an energy management, conservation or efficiency product or
10 service or a demand–side management product or service.

11 c. Providing an energy customer service, including metering or billing.

12 d. Recovering or producing energy from waste materials.

13 e. Processing waste materials.

14 f. Manufacturing, distributing or selling products for filtration, pumping water
15 or other fluids, processing or heating water, handling fluids or other related
16 activities.

17 g. Providing a telecommunications service, as defined in s. 196.01 (9m).

18 h. Providing an environmental engineering service.

19 **SECTION 2335yq.** 196.795 (6m) (a) 4. of the statutes is created to read:

20 196.795 **(6m)** (a) 4. “Generation assets” means assets that are classified as
21 electric generation assets on the books of account of a public utility, as determined
22 by the commission.

23 **SECTION 2335yr.** 196.795 (6m) (b) (title) of the statutes is created to read:

24 196.795 **(6m)** (b) *In general.*

25 **SECTION 2335ys.** 196.795 (6m) (e) of the statutes is created to read:

1 196.795 **(6m)** (e) *Contributor public utility affiliates.* 1. The eligible assets of
2 a nonutility affiliate in a holding company system that includes each of the
3 contributor public utility affiliates in the holding company system shall not be
4 included in the sum of the assets of the public utility affiliates under par. (b) 1. a.,
5 b. or c. and shall not be included in the nonutility affiliate's total assets under par.
6 (b) 2. a.

7 2. For purposes of subd. 1., all of the assets of a nonutility affiliate shall be
8 considered eligible assets if each of the following is satisfied:

9 a. The bylaws of the nonutility affiliate or a resolution adopted by its board of
10 directors specifies that the business of the nonutility affiliate is limited to activities
11 involving eligible assets.

12 b. Substantially all of the assets of the nonutility affiliate are eligible assets.

13 3. The net book value of transmission facility assets that a contributor public
14 utility affiliate has contributed to a transmission company under s. 196.485 (5) (b)
15 shall be included in the sum of the assets of the public utility affiliate under par. (b)
16 1. a., b. and c. In determining net book value under this subdivision, accumulated
17 depreciation shall be calculated as if the contributor public utility affiliate had not
18 contributed the assets.

19 4. The net book value of generation assets that a contributor public utility
20 affiliate has transferred to a person that is not affiliated with the public utility
21 affiliate pursuant to the order of the commission, a court or a federal regulatory
22 agency shall be included in the sum of the assets of the public utility affiliate under
23 par. (b) 1. a., b. and c. In determining net book value under this subdivision,
24 accumulated depreciation shall be calculated as if the contributor public utility
25 affiliate had not transferred the assets.

1 **SECTION 2335ysm.** 196.795 (7) (a) (intro.) of the statutes is amended to read:

2 196.795 (7) (a) (intro.) No sooner than the first day of the 36th month after the
3 formation of a holding company and at least once every 3 years thereafter, the
4 commission shall investigate the impact of the operation of every holding company
5 system formed on or after November 28, 1985, on every public utility affiliate in the
6 holding company system and shall determine whether each nonutility affiliate,
7 except for the nonutility affiliates of a holding company that were affiliates of a
8 holding company that was formed before November 28, 1985, does, or can
9 reasonably be expected to do, at least one of the following:

10 **SECTION 2335yt.** 196.795 (11) (b) of the statutes is amended to read:

11 196.795 (11) (b) This section shall be deemed to legalize and confirm the
12 formation, prior to November 28, 1985, of any holding company, which is not itself
13 a public utility, and shall be deemed to legalize and confirm the operations and
14 issuances of securities of the holding company, except that nothing in this section
15 shall be deemed to prevent the commission from imposing reasonable terms,
16 limitations or conditions on any holding company which are consistent with the
17 requirements of sub. (5) ~~(pm)~~ (6m) (c) or (d) or which are consistent with and
18 necessary to satisfy the requirements of sub. (5) (b) to (o) and (q) to (s) or which relate
19 to future investments by the holding company unless the holding company owns,
20 operates, manages or controls a telecommunications utility and does not also own,
21 operate, manage or control a public utility which is not a telecommunications utility.

22 **SECTION 2335yu.** 196.795 (11) (c) of the statutes is created to read:

23 196.795 (11) (c) The commission may not impose upon a holding company the
24 formation of which is considered to be legalized and confirmed under par. (b) any
25 term, limitation or condition under par. (b) that establishes the sum of the holding

1 company's nonutility affiliate assets at less than 25% of the sum of the holding
2 company's utility affiliate assets. For purposes of this paragraph, any term,
3 limitation or condition on nonutility affiliate assets shall not apply to the ownership,
4 operation, management or control of any eligible asset, as defined under sub. (6m)
5 (a) 2.

6 **SECTION 2335yum.** 196.796 of the statutes is created to read:

7 **196.796 Real estate activities. (1)** In this section:

8 (a) "Brownfields facility or site" means any abandoned, idle or underused
9 industrial or commercial facility or site, the use, expansion or redevelopment of
10 which is adversely affected by actual environmental contamination.

11 (b) 1. "Commercial construction" means the act of building any structure, or
12 that part of any structure, that is not used as a home, residence or sleeping place by
13 one or more persons maintaining a common household to the exclusion of all others.

14 2. "Commercial construction" does not include any of the following:

15 a. Any repair, maintenance, installation or construction of a structure owned
16 or used by or for a public utility, or for a customer of a public utility, if the repair,
17 maintenance, installation or construction is related to furnishing heat, light, water
18 or power to the customer.

19 b. Any construction related to the evaluation, control or remediation of
20 hazardous substances; solid, liquid or gaseous wastes; soils; air; or water.

21 c. Any construction performed in order to comply with federal, state or local
22 environmental laws, regulations, orders or rules.

23 (c) "Economic development" means development that is designed to promote
24 job growth or retention, expand the property tax base or improve the overall
25 economic vitality of a municipality, as defined in s. 30.01 (4), or region.

1 (d) “Engage” means to actively participate in the daily operations or daily
2 business decisions of an entity. “Engage” does not include taking an action necessary
3 to protect an ownership interest in an entity.

4 (dg) “Entity” has the meaning given in s. 180.0103 (8).

5 (dr) “Financial support” includes investments, loans and grants.

6 (e) “Holding company system” has the meaning given in s. 196.795 (1) (i).

7 (f) “Improvements” means any valuable addition made to land, including
8 excavations, gradings, foundations, structures, buildings, streets, parking lots,
9 sidewalks, sewers, septic systems and drainage facilities. “Improvements” does not
10 include any repair, maintenance, installation or construction of structures or
11 facilities owned or used by or for a public utility, or by or for a customer of a public
12 utility, if the repair, maintenance, installation or construction is related to furnishing
13 heat, light, water or power to the customer.

14 (g) “Nonutility affiliate” means a subsidiary of a public utility or a company in
15 a holding company system that is not a public utility. “Nonutility affiliate” does not
16 include a passively held company.

17 (gm) “Passively held company” means an entity that satisfies each of the
18 following:

19 1. Less than 50% of the ownership interest of the entity is directly or indirectly
20 owned in any chain of successive ownership by a public utility or nonutility affiliate.

21 2. The entity engages in property management for a 3rd party, real estate
22 practice, residential real estate development or residential or commercial
23 construction.

24 (h) “Property management” means any activity associated with the care or
25 maintenance of land or improvements, including business planning and budgeting,

1 accounting, lease administration, tenant relations and retention, security,
2 maintenance of common areas, rent collections, financial reporting, service contract
3 administration and inspections.

4 (hm) “Public utility” means every corporation, company, individual or
5 association and their lessees, trustees or receivers appointed by any court or state
6 or federal agency, that may own, operate, manage or control all or any part of a plant
7 or equipment, within the state, for the production, transmission, delivery or
8 furnishing of electricity directly to or for the public, except that “public utility” does
9 not include any municipal utility or municipal electric company, as defined in s.
10 66.073 (3) (d), or any cooperative association organized under ch. 185 for the purpose
11 of producing or furnishing heat, light, power or water to its members only.

12 (i) “Real estate practice” has the meaning given in s. 452.01 (6).

13 (j) “Residential construction” means the act of building any structure, or that
14 part of any structure that is used as a home, residence or sleeping place by one or
15 more persons maintaining a common household to the exclusion of all others.

16 (k) “Residential real estate development” means the act of dividing or
17 subdividing any parcel of land for residential construction or making improvements
18 to facilitate or allow residential construction.

19 (L) “Third party” means any person other than a public utility or nonutility
20 affiliate.

21 **(2) PROHIBITED ACTIVITIES.** Except as provided in sub. (4), a public utility or
22 nonutility affiliate may not do any of the following in this state:

23 (a) Engage in real estate practice.

24 (b) Engage in residential real estate development.

25 (c) Engage in property management for a 3rd party.

1 (d) Engage in residential or commercial construction.

2 **(3) PERMITTED ACTIVITIES.** (a) Subsection (2) does not prohibit a public utility
3 or nonutility affiliate from doing any of the following:

4 1. Repairing, maintaining, installing or constructing a structure that is owned
5 or used by or for a public utility or nonutility affiliate, or for a customer of a public
6 utility if the repair, maintenance, installation or construction is related to furnishing
7 heat, light, water or power to the customer.

8 2. Engaging in construction that is specifically related to the evaluation,
9 control or remediation of hazardous substances; solid, liquid or gaseous wastes; soils;
10 air; or water.

11 3. Engaging in construction that is performed in order to comply with federal,
12 state or local environmental laws, regulations, orders or rules.

13 4. Consulting or making other financial or business arrangements with one or
14 more 3rd parties who will engage in commercial construction.

15 5. Consulting or making other financial or business arrangements with one or
16 more 3rd parties who will engage in residential construction or residential real
17 estate development, except that if a public utility or nonutility affiliate contracts for
18 the development of more than one residential construction project or residential real
19 estate development, the public utility or nonutility affiliate may not enter into an
20 exclusive arrangement with a 3rd party for all such residential construction or
21 residential real estate development.

22 6. Acquiring or disposing of property or interests in property if the acquisition
23 or disposition is related to the operation of a public utility and the acquisition or
24 disposition satisfies one of the following:

1 a. The acquisition or disposition is conducted under a contract with a 3rd party
2 that is engaged in real estate practice.

3 b. The acquisition or disposition is conducted by an individual engaged in real
4 estate practice or employed by a public utility.

5 7. Owning a passively held company.

6 (b) Subsection (2) does not prohibit a public utility that is not subject to the
7 requirements of s. 196.795, or the nonutility subsidiary of such a public utility, from
8 doing any of the following:

9 1. Engaging in commercial or residential real estate development or
10 construction on property owned or acquired by the public utility or nonutility
11 subsidiary for a public utility purpose if the total annual revenues from the
12 development or construction do not exceed 3% of the total operating revenues of the
13 public utility in any year.

14 2. Providing financial support for the purpose of economic development to 3rd
15 parties that are engaged in an activity specified in sub. (2) (a) to (d). The public utility
16 or nonutility subsidiary may profit directly from that activity only through receipt
17 of profits that are incidental to the economic development project or interest earned
18 on a loan.

19 **(4) EXCEPTIONS.** (a) A nonutility affiliate that has engaged in residential
20 construction prior to, or is engaged in residential construction on, the effective date
21 of this paragraph [revisor inserts date], may directly or indirectly own in any
22 chain of successive ownership 50% or more of the ownership interest of an entity that
23 hires a 3rd party to engage in residential construction or commercial construction
24 that is incidental to residential construction, except that the nonutility affiliate may

1 not actively participate in the daily operations or daily business decisions of the
2 entity.

3 (b) A public utility or nonutility affiliate may engage in residential real estate
4 development at a brownfields facility or site.

5 (5) PRIVATE CAUSE OF ACTION. Any public utility or nonutility affiliate that does,
6 causes or permits to be done any action prohibited under this section or fails to
7 comply with any requirement specified in this section is liable to any person injured
8 thereby in the amount of damages sustained in consequence of the prohibited action
9 or failure to comply.

10 **SECTION 2335z.** 196.807 of the statutes is created to read:

11 **196.807 Energy affiliate and utility employes. (1) DEFINITIONS.** In this
12 section:

13 (a) “Affiliate or utility” means a nonutility affiliate, holding company system,
14 public utility or cooperative association organized under ch. 185.

15 (b) “Energy unit” means a unit in this state that is engaged in activities related
16 to the production, generation, transmission or distribution of electricity, gas or steam
17 or the recovery of energy from waste materials.

18 (c) “Holding company system” has the meaning given in s. 196.795 (1) (i).

19 (d) “Nonutility affiliate” has the meaning given in s. 196.795 (1) (j).

20 (e) “Public utility affiliate” has the meaning given in s. 196.795 (1) (L).

21 (f) “Sell an energy unit” means to sell, offer by lease, or otherwise transfer
22 ownership or control of the energy unit.

23 (fg) “Transmission company” has the meaning given in s. 196.485 (1) (ge).

24 (fr) “Transmission utility” has the meaning given in s. 196.485 (1) (i).

1 (g) “Unit” means a division, department or other operational business unit of
2 an affiliate or utility.

3 (2) OFFER OF EMPLOYMENT. (a) Except as provided in par. (b), a person may not
4 sell an energy unit unless the terms of the transfer require the person to which the
5 energy unit is transferred to offer employment to the nonsupervisory employees who
6 are employed with the energy unit immediately prior to the transfer and who are
7 necessary for the operation and maintenance of the energy unit.

8 (b) 1. A public utility affiliate may not sell an energy unit to a nonutility affiliate
9 in the same holding company system unless the terms of the transfer require the
10 nonutility affiliate to offer employment to all of the nonsupervisory employees who are
11 employed with the energy unit immediately prior to the transfer.

12 2. A transmission company to which an energy unit is sold by a transmission
13 utility shall, beginning on the expiration of the 3–year period specified in s. 196.485
14 (3m) (a) 1. b. or, if applicable, the expiration of any extension of such 3–year period,
15 offer employment to the nonsupervisory employees who are employed with the energy
16 unit immediately prior to the transfer and who are necessary for the operation and
17 maintenance of the energy unit.

18 (3) EMPLOYMENT TERMS AND CONDITIONS. (a) Except as provided in par. (b), the
19 employment that is offered under sub. (2) shall satisfy each of the following during
20 the 30–month period beginning immediately after the transfer:

21 1. Wage rates shall be no less than the wage rates in effect immediately prior
22 to the transfer.

23 2. Fringe benefits shall be substantially equivalent to the fringe benefits in
24 effect immediately prior to the transfer.

1 3. Terms and conditions of employment, other than wage rates and fringe
2 benefits, shall be substantially equivalent to the terms and conditions in effect
3 immediately prior to the transfer.

4 (b) A collective bargaining agreement may modify or waive a requirement
5 specified in par. (a).

6 **(4) COMMISSION APPROVAL.** Except for a cooperative association, as defined in
7 s. 196.491 (1) (bm), or a transmission utility that sells an energy unit to a
8 transmission company, no person may sell an energy unit unless the commission
9 determines that the person has satisfied subs. (2) and (3).

10 **SECTION 2336gm.** 196.85 (2m) of the statutes is amended to read:

11 196.85 **(2m)** Annually, the commission shall assess telecommunications
12 utilities for the cost of one attorney position in the department of justice to provide
13 services relating to telecommunications matters and for the cost of supplies, services
14 and equipment related to that position. The amounts received under this subsection
15 shall be credited to the appropriation under s. 20.455 (1) (kt). This subsection does
16 not apply after June 30, ~~1999~~ 2001.

17 **SECTION 2336gq.** 196.856 of the statutes is created to read:

18 **196.856 Assessment for stray voltage research. (1)** In this section,
19 “electric cooperative” means a cooperative association organized under ch. 185 for
20 the purpose of generating, distributing or furnishing electric energy at retail or
21 wholesale to its members only.

22 **(2)** The commission shall assess annually 91% of the amount appropriated
23 under s. 20.155 (1) (jm) to public utilities that produce electricity in proportion to
24 their respective electric gross operating revenues during the last calendar year,
25 derived from intrastate operations. The commission shall assess annually 9% of the

1 amount appropriated under s. 20.155 (1) (jm) to electric cooperatives in proportion
2 to their gross operating revenues during the last calendar year, derived from
3 intrastate operations. The amounts received under this section shall be credited to
4 the appropriation account under s. 20.155 (1) (jm). A public utility or electric
5 cooperative shall pay the total amount that it is assessed under this subsection
6 within 30 days after it receives a bill for that amount from the commission. The bill
7 constitutes notice of the assessment and demand of payment.

8 **SECTION 2336mt.** 196.86 of the statutes is created to read:

9 **196.86 Assessments for air quality improvement program. (1)** In this
10 section:

11 (a) “Department” means the department of natural resources.

12 (b) “Electric public utility affiliate” means a public utility affiliate, as defined
13 in s. 196.795 (1) (L), that sells electricity in this state.

14 (c) “Heat throughput ratio” means the result obtained by dividing the total heat
15 throughput of all electric generating facilities that use fossil fuel of an individual
16 electric public utility affiliate by the total heat throughput of all electric generating
17 facilities that use fossil fuel of all electric public utility affiliates.

18 (d) “Initial compliance date” means the date specified in a notice by the
19 department of natural resources under s. 285.48 (2) by which electric generating
20 facilities in the midcontinent area of this state are required to comply with initial
21 nitrogen oxide emission reduction requirements.

22 (e) “Midcontinent area” has the meaning given in s. 16.958 (1) (e).

23 **(2)** If the department of natural resources makes a notification to the
24 commission under s. 285.48 (2), the commission shall assess against electric public
25 utility affiliates a total of \$2,400,000, or a decreased amount specified in a notice by

1 the department of natural resources under s. 285.48 (3) (d) 3., in each fiscal year of
2 the 10-year period that commences on July 1 of the fiscal year ending before the
3 initial compliance date. An assessment in a fiscal year against an electric public
4 utility affiliate under this subsection shall be in amount that is proportionate to the
5 electric public utility affiliate's heat throughput ratio for the prior fiscal year.

6 **(3)** An electric public utility affiliate shall pay an assessment required under
7 sub. (2) within 30 days after the commission has mailed a bill for the assessment.
8 The bill constitutes notice of the assessment and demand of payment. Payments
9 shall be deposited in the air quality improvement fund.

10 **(4)** Section 196.85 (3) to (8), as it applies to assessments under s. 196.85 (1) or
11 (2), applies to assessments under this section.

12 **SECTION 2336u.** 200.01 (2) of the statutes is amended to read:

13 200.01 **(2)** "Public service corporation" means and embraces every corporation,
14 except municipalities and other political subdivisions, which is a public utility as
15 defined in s. 196.01, and every corporation which is a railroad as defined in s. 195.02,
16 but shall not include a public utility corporation receiving an annual gross revenue
17 of less than \$1,000 for the calendar year next preceding the issuance of any securities
18 by it. "Public service corporation" includes a holding company, as defined under s.
19 196.795 (1) (h), which is a public utility, as defined under s. 196.01 (5). "Public service
20 corporation" does not include a telecommunications utility, as defined in s. 196.01
21 (10). "Public service corporation" does not include any other holding company unless
22 the holding company was formed after November 28, 1985, and unless the
23 commission has determined, under s. 196.795 (7) (a), that each nonutility affiliate,
24 as defined under s. 196.795 (1) (j), does not and cannot reasonably be expected to do
25 at least one of the items specified in s. 196.795 (7) (a). "Public service corporation"

1 does not include a company, as defined in s. 196.795 (1) (f), which owns, operates,
2 manages or controls a telecommunications utility, as defined in s. 196.01 (10), unless
3 such company also owns, operates, manages or controls a public utility which is not
4 a telecommunications utility. “Public service corporation” does not include a
5 transmission company, as defined in s. 196.485 (1) (ge).

6 **SECTION 2337a.** 214.01 (1) (im) of the statutes is amended to read:

7 214.01 (1) (im) “Division” means the division of savings ~~and loan~~ institutions.

8 **SECTION 2338a.** 214.592 of the statutes is amended to read:

9 **214.592 Financially related services tie-ins.** In any transaction conducted
10 by a savings bank, a savings bank holding company or a subsidiary of either with a
11 customer who is also a customer of any other subsidiary of any of them, the customer
12 shall be given a notice in 12–point boldface type in substantially the following form:

13 NOTICE OF RELATIONSHIP

14 This company, (insert name and address of savings bank, savings bank
15 holding company or subsidiary), is related to (insert name and address of savings
16 bank, savings bank holding company or subsidiary) of which you are also a customer.
17 You may not be compelled to buy any product or service from either of the above
18 companies or any other related company in order to participate in this transaction.

19 If you feel that you have been compelled to buy any product or service from
20 either of the above companies or any other related company in order to participate
21 in this transaction, you should contact the management of either of the above
22 companies at either of the above addresses or the division of savings ~~and loan~~
23 institutions at (insert address).

24 **SECTION 2339a.** 215.01 (6) of the statutes is amended to read:

25 215.01 (6) “Division” means the division of savings ~~and loan~~ institutions.

1 217.05 **(1m)** (c) 1. If an applicant who is an individual does not have a social
2 security number, the applicant, as a condition of applying for or applying to renew
3 a license, shall submit a statement made or subscribed under oath or affirmation to
4 the division that the applicant does not have a social security number. The form of
5 the statement shall be prescribed by the department of workforce development.

6 2. Notwithstanding s. 217.09 (7), any license issued or renewed in reliance upon
7 a false statement submitted by an applicant under subd. 1 is invalid.

8 **SECTION 2341f.** 217.06 (4) of the statutes is amended to read:

9 217.06 **(4)** The applicant has provided the all information required under s.
10 217.05 (1m) (a).

11 **SECTION 2341h.** 218.01 (2) (ie) 1. of the statutes is amended to read:

12 218.01 **(2)** (ie) 1. In addition to any other information required under this
13 subsection and except as provided in subd. 3., an application by an individual for the
14 issuance or renewal of a license described in par. (d) shall include the individual's
15 social security number and an application by a person who is not an individual for
16 the issuance or renewal of a license described in par. (d) 1., 2., 3. or 5. shall include
17 the person's federal employer identification number. The licenser may not disclose
18 any information received under this subdivision to any person except the
19 department of industry, labor and job development [department of workforce
20 development] for purposes of administering s. 49.22 or the department of revenue for
21 the sole purpose of requesting certifications under s. 73.0301.

22 **SECTION 2341j.** 218.01 (2) (ie) 3. of the statutes is created to read:

23 218.01 **(2)** (ie) 3. If an applicant for the issuance or renewal of a license
24 described in par. (d) is an individual who does not have a social security number, the
25 applicant, as a condition of applying for or applying to renew the license, shall submit

1 a statement made or subscribed under oath or affirmation to the licensor that the
2 applicant does not have a social security number. The form of the statement shall
3 be prescribed by the department of workforce development. Any license issued or
4 renewed in reliance upon a false statement submitted by an applicant under this
5 subdivision is invalid.

6 **SECTION 2341L.** 218.01 (2) (ig) 1. (intro.) of the statutes is amended to read:

7 218.01 (2) (ig) 1. (intro.) In addition to any other information required under
8 this subsection and except as provided in subd. 3., an application for a license
9 described in par. (dr) shall include the following:

10 **SECTION 2341n.** 218.01 (2) (ig) 3. of the statutes is created to read:

11 218.01 (2) (ig) 3. If an applicant for the issuance or renewal of a license
12 described in par. (dr) is an individual who does not have a social security number, the
13 applicant, as a condition of applying for or applying to renew the license, shall submit
14 a statement made or subscribed under oath or affirmation to the licensor that the
15 applicant does not have a social security number. The form of the statement shall
16 be prescribed by the department of workforce development. Any license issued or
17 renewed in reliance upon a false statement submitted by an applicant under this
18 subdivision is invalid.

19 **SECTION 2342abc.** 218.01 (2) (L) of the statutes is created to read:

20 218.01 (2) (L) 1. Words and phrases defined in sub. (2c) (am) have the same
21 meaning in this paragraph.

22 2. The department may not issue a dealer license under this section, unless the
23 department has determined that no factory will hold an ownership interest in or
24 operate or control the dealership or that one of the exceptions under sub. (2c) (cm)
25 applies.

1 3. If the applicant asserts that sub. (2c) (cm) 2. applies, the department shall
2 require the applicant to provide a copy of the written agreement described in sub. (2c)
3 (cm) 2. d. for examination by the department to ensure that the agreement meets the
4 requirements of sub. (2c) (cm) 2.

5 4. If the division of hearings and appeals determines, after a hearing on the
6 matter at the request of the department or any licensee, that a factory holds an
7 ownership interest in a dealership or operates or controls a dealership in violation
8 of sub. (2c), the division shall order the denial or revocation of the dealership's
9 license.

10 **SECTION 2342abf.** 218.01 (2c) (intro.) of the statutes is renumbered 218.01 (2c)
11 (bm) and amended to read:

12 218.01 (2c) (bm) ~~A manufacturer, importer or distributor, or a subsidiary~~
13 ~~thereof, factory~~ shall not own, directly or indirectly, hold an ownership interest in or
14 operate or control a motor vehicle dealership in this state.

15 ~~(cm)~~ This subsection does not prohibit any of the following:

16 **SECTION 2342abi.** 218.01 (2c) (a) of the statutes is renumbered 218.01 (2c) (cm)
17 1. and amended to read:

18 218.01 (2c) (cm) 1. ~~The ownership and operation by a manufacturer, importer~~
19 ~~or distributor, or a subsidiary thereof, of~~ A factory from holding an ownership
20 interest in or operating a dealership for a temporary period, not to exceed one year,
21 during the transition from one owner or dealer operator to another.

22 **SECTION 2342abL.** 218.01 (2c) (am) of the statutes is created to read:

23 218.01 (2c) (am) In this subsection:

1 1. “Agent” means a person who is employed by or affiliated with a factory or who
2 directly or through an intermediary is controlled by or under common control of a
3 factory.

4 2. “Control” means the possession, direct or indirect, of the power to direct or
5 cause the direction of the management or policies of a person, whether through the
6 ownership of voting securities, by contract or otherwise. “Control” does not include
7 the relationship between a factory and a dealership under a basic agreement filed
8 under sub. (2) (bd) 1.

9 3. “Dealer operator” means an individual who is vested with the power and
10 authority to operate a dealership.

11 4. “Dealership” means a person licensed or required to be licensed as a motor
12 vehicle dealer under this section.

13 4m. “Department” means the department of transportation.

14 5. “Factory” means a manufacturer, distributor or importer, or an agent of a
15 manufacturer, distributor or importer.

16 6. “Operate” means to directly or indirectly manage a dealership.

17 7. “Ownership interest” means the beneficial ownership of one percent or more
18 of any class of equity interest in a dealership, whether the interest is that of a
19 shareholder, partner, limited liability company member or otherwise. To “hold” an
20 ownership interest means to have possession of, title to or control of the ownership
21 interest, whether directly or indirectly through a fiduciary or an agent.

22 **SECTION 2342abo.** 218.01 (2c) (b) of the statutes is repealed.

23 **SECTION 2342abr.** 218.01 (2c) (c) of the statutes is renumbered 218.01 (2c) (cm)

24 3. and amended to read:

1 218.01 **(2c)** (cm) 3. The ownership, operation or control of a dealership by a
2 manufacturer, importer or distributor, or subsidiary thereof, which factory that does
3 not meet the conditions under ~~par. (a) or (b)~~ subds. 1. or 2., if the division of hearings
4 and appeals determines, after a hearing on the matter at the request of any party,
5 that there is no prospective independent dealer available to own and operate the
6 dealership in a manner consistent with the public interest and that meets the
7 reasonable standard and uniformly applied qualifications of the ~~manufacturer,~~
8 ~~importer or distributor~~ factory.

9 **SECTION 2342abu.** 218.01 (2c) (cm) 2. of the statutes is created to read:

10 218.01 **(2c)** (cm) 2. A factory from holding an ownership interest in a
11 dealership, if all of the following apply:

12 a. The dealer operator of the dealership is an individual who is not an agent
13 of the factory.

14 b. The dealer operator of the dealership is unable to acquire full ownership of
15 the dealership with his or her own assets or in conjunction with financial
16 investments and loans from investors or lenders other than the factory holding an
17 ownership interest in the dealership.

18 c. The dealer operator of the dealership holds not less than 15 percent of the
19 total ownership interests in the dealership within one year from the date that the
20 factory initially acquires any ownership interest in the dealership.

21 d. There is a bona fide written agreement in effect between the factory and the
22 dealer operator of the dealership under which the dealer operator will acquire all of
23 the ownership interest in the dealership held by the factory on reasonable terms
24 specified in the agreement.

1 f. The written agreement described in subd. 2. d. provides that the dealer
2 operator will make reasonable progress toward acquiring all of the ownership
3 interest in the dealership, and the dealer is making reasonable progress toward
4 acquiring all of the ownership interest in the dealership.

5 g. Not more than eight years have elapsed since the factory initially acquired
6 its ownership interest in the dealership, unless the department, upon petition by the
7 dealer operator, determines that there is good cause to allow the dealer operator a
8 longer period to complete his or her acquisition of all of the ownership interest in the
9 dealership held by the factory and the longer period determined by the department
10 has not yet elapsed.

11 **SECTION 2342abv.** 218.01 (2c) (cm) 4. of the statutes is created to read:

12 218.01 (2c) (cm) 4. The holding or acquisition, solely for investment purposes,
13 of an ownership interest in a publicly traded corporation by an employe benefit plan
14 that is sponsored by a factory.

15 **SECTION 2342abw.** 218.01 (2c) (cm) 5. of the statutes is created to read:

16 218.01 (2c) (cm) 5. A factory from holding an ownership interest in a dealership
17 trading solely in any line make of new motor vehicles weighing less than 8,500
18 pounds gross vehicle weight, if all of the following apply:

19 a. No more than 10 locations for the line make are licensed and in operation
20 in the state on or after January 1, 1999.

21 b. At the time the factory first acquires an ownership interest in the dealership,
22 the distance between the dealership and the nearest nonaffiliated new motor vehicle
23 dealership trading in the same line make of motor vehicles is no less than 35 miles.

24 c. The factory does not own, directly or indirectly, in aggregate, in excess of a
25 45% interest in the dealership.

1 d. The factory provides written assurance to the department that on all matters
2 pertaining to the operation of the dealership, the dealership has the same degree of
3 independence from the factory as have all other dealerships of the same line make,
4 including the right to seek legally enforceable redress against the manufacturer in
5 any dispute arising under the franchise agreement.

6 e. All franchise agreements for the line make of new motor vehicles include
7 provisions for actively sharing responsibility between the factory and
8 representatives of the dealers of the line make for decision-making on matters
9 within the scope of the agreement that significantly affect the retail automotive
10 business including prior approval of any performance standards binding on dealers,
11 prior and ongoing review of the allocation system the factory uses for distributing
12 new motor vehicles covered by the franchise agreement, prior approval of any
13 proposed supplements to the franchise agreement applicable to dealerships in which
14 the factory owns a partial interest and approval of any superseding franchise
15 agreement before the agreement is offered to dealers of the line make.

16 **SECTION 2342ap.** 218.01 (3) (am) 1. a. of the statutes is amended to read:

17 218.01 (3) (am) 1. a. The applicant fails to provide the any information required
18 under sub. (2) (ig) 1.

19 **SECTION 2342avm.** 218.01 (3x) (c) 1. g. of the statutes is created to read:

20 218.01 (3x) (c) 1. g. Whether the dealer and affected grantor have previously
21 agreed upon a specific action that is inconsistent with the proposed action and, if so,
22 whether there has been a change in circumstances sufficient to justify the proposed
23 action.

24 **SECTION 2342abw.** 218.01 (3x) (d) 1. of the statutes is repealed.

25 **SECTION 2342b.** 218.02 (2) (a) 1. (intro.) of the statutes is amended to read:

1 218.02 **(2)** (a) 1. (intro.) Each adjustment service company shall apply to the
2 division for a license to engage in such business. Application for a separate license
3 for each office of a company to be operated under this section shall be made to the
4 division in writing, under oath, in a form to be prescribed by the division. The
5 division may issue more than one license to the same licensee. ~~An Except as provided~~
6 in subd. 3., an application for a license under this section shall include the following:

7 **SECTION 2342bb.** 218.02 (2) (a) 3. of the statutes is created to read:

8 218.02 **(2)** (a) 3. If an applicant who is an individual does not have a social
9 security number, the applicant, as a condition of applying for or applying to renew
10 a license under this section, shall submit a statement made or subscribed under oath
11 or affirmation to the division that the applicant does not have a social security
12 number. The form of the statement shall be prescribed by the department of
13 workforce development. Any license issued or renewed in reliance upon a false
14 statement submitted by an applicant under this subdivision is invalid.

15 **SECTION 2342bd.** 218.04 (3) (a) 1. (intro.) of the statutes is amended to read:

16 218.04 **(3)** (a) 1. (intro.) Application for licenses under the provisions of this
17 section shall be made to the division in writing, under oath, on a form to be prescribed
18 by the division. All licenses shall expire on June 30 next following their date of issue.
19 ~~An Except as provided in subd. 3., an~~ application for a license under this section shall
20 include the following:

21 **SECTION 2342bf.** 218.04 (3) (a) 3. of the statutes is created to read:

22 218.04 **(3)** (a) 3. If an applicant who is an individual does not have a social
23 security number, the applicant, as a condition of applying for or applying to renew
24 a license under this section, shall submit a statement made or subscribed under oath
25 or affirmation to the division that the applicant does not have a social security

1 number. The form of the statement shall be prescribed by the department of
2 workforce development. Any license issued or renewed in reliance upon a false
3 statement submitted by an applicant under this subdivision is invalid.

4 **SECTION 2342bh.** 218.04 (4) (am) 1. of the statutes is amended to read:

5 218.04 (4) (am) 1. The applicant fails to provide the any information required
6 under sub. (3) (a) 1.

7 **SECTION 2342bj.** 218.05 (3) (am) 1. (intro.) of the statutes is amended to read:

8 218.05 (3) (am) 1. (intro.) In addition to the information required under par.
9 (a) and except as provided in subd. 3., an application for a license under this section
10 shall include the following:

11 **SECTION 2342bL.** 218.05 (3) (am) 3. of the statutes is created to read:

12 218.05 (3) (am) 3. If an applicant who is an individual does not have a social
13 security number, the applicant, as a condition of applying for or applying to renew
14 a license under this section, shall submit a statement made or subscribed under oath
15 or affirmation to the division that the applicant does not have a social security
16 number. The form of the statement shall be prescribed by the department of
17 workforce development. Any license issued or renewed in reliance upon a false
18 statement submitted by an applicant under this subdivision is invalid.

19 **SECTION 2342bn.** 218.05 (4) (c) 1. of the statutes is amended to read:

20 218.05 (4) (c) 1. The applicant fails to provide the any information required
21 under sub. (3) (am) 1.

22 **SECTION 2342bp.** 218.05 (11) (a) of the statutes is amended to read:

23 218.05 (11) (a) The renewal applicant fails to provide the any information
24 required under sub. (3) (am) 1.

1 218.10 (1x) ~~“Mobile home manufacturer”~~ “Manufacturer” means any person
2 within or without this state who manufactures or assembles ~~mobile homes~~
3 recreational vehicles for sale in this state.

4 **SECTION 2342gg.** 218.10 (5) of the statutes is repealed.

5 **SECTION 2342gi.** 218.10 (6) of the statutes is renumbered 218.10 (8t) and
6 amended to read:

7 218.10 (8t) ~~“Mobile home salesperson”~~ “Salesperson”, unless the context
8 requires otherwise, means any person who is employed by a ~~mobile home~~
9 manufacturer or dealer to sell or lease ~~mobile homes~~ recreational vehicles.

10 **SECTION 2342gL.** 218.10 (7) of the statutes is amended to read:

11 218.10 (7) ~~“New mobile home recreational vehicle”~~ means a ~~mobile home~~
12 recreational vehicle which has never been occupied, used or sold for personal or
13 business use.

14 **SECTION 2342gp.** 218.10 (8) of the statutes is repealed.

15 **SECTION 2342gt.** 218.10 (8m) of the statutes is amended to read:

16 218.10 (8m) ~~“Recreational vehicle”~~ means a mobile home, as defined in s.
17 340.01 (29), that does not exceed the statutory size under s. 348.07 (2).

18 **SECTION 2342gx.** 218.10 (9) of the statutes is amended to read:

19 218.10 (9) ~~“Used mobile home recreational vehicle”~~ means a ~~mobile home~~
20 recreational vehicle which has previously been occupied, used or sold for personal or
21 business use.

22 **SECTION 2342Lc.** 218.101 of the statutes is repealed.

23 **SECTION 2342Lg.** 218.11 (title) of the statutes is amended to read:

24 **218.11 (title) Mobile home Recreational vehicle dealers regulated.**

25 **SECTION 2342LL.** 218.11 (1) of the statutes is amended to read:

1 218.11 (1) No person may engage in the business of selling ~~mobile homes to the~~
2 ~~ultimate recreational vehicles to a~~ consumer or to the retail market in this state
3 unless first licensed to do so by the ~~licensor as herein provided~~ department.

4 **SECTION 2342Lg.** 218.11 (2) (am) 1. of the statutes is amended to read:

5 218.11 (2) (am) 1. In addition to any other information required under par. (a)
6 and except as provided in subd. 4., an application by an individual for the issuance
7 or renewal of a license under this section shall include the individual's social security
8 number and, if the application is made by a person who is not an individual for the
9 issuance or renewal of a license under this section shall include the person's federal
10 employer identification number.

11 **SECTION 2342Lj.** 218.11 (2) (am) 2. of the statutes is amended to read:

12 218.11 (2) (am) 2. The ~~licensor~~ department shall deny an application for the
13 issuance or renewal of a license if the information required under subd. 1. is not
14 included in the application.

15 **SECTION 2342Lk.** 218.11 (2) (am) 3. of the statutes is amended to read:

16 218.11 (2) (am) 3. The ~~licensor~~ department of commerce may not disclose any
17 information received under subd. 1. to any person except to the department of
18 ~~industry, labor and job development~~ workforce development for purposes of
19 administering s. 49.22 or to the department of revenue for the sole purpose of
20 requesting certifications under s. 73.0301.

21 **SECTION 2342Ln.** 218.11 (2) (am) 4. of the statutes is created to read:

22 218.11 (2) (am) 4. If an applicant who is an individual does not have a social
23 security number, the applicant, as a condition of applying for or applying to renew
24 a license under this section, shall submit a statement made or subscribed under oath
25 or affirmation to the licensor that the applicant does not have a social security

1 number. The form of the statement shall be prescribed by the department of
2 workforce development. Any license issued or renewed in reliance upon a false
3 statement submitted by an applicant under this subdivision is invalid.

4 **SECTION 2342Lo.** 218.11 (2) (am) 4. of the statutes, as created by 1999
5 Wisconsin Act (this act), is amended to read:

6 218.11 (2) (am) 4. If an applicant who is an individual does not have a social
7 security number, the applicant, as a condition of applying for or applying to renew
8 a license under this section, shall submit a statement made or subscribed under oath
9 or affirmation to the ~~licensor~~ department that the applicant does not have a social
10 security number. The form of the statement shall be prescribed by the department
11 of workforce development. Any license issued or renewed in reliance upon a false
12 statement submitted by an applicant under this subdivision is invalid.

13 **SECTION 2342Lp.** 218.11 (2) (b) and (d) of the statutes are amended to read:

14 218.11 (2) (b) 1. The ~~licensor~~ department shall promulgate rules establishing
15 the license period under this section.

16 2. The ~~licensor~~ department may promulgate rules establishing a uniform
17 expiration date for all licenses issued under this section.

18 (d) If the ~~licensor~~ department issues a license under this section during the
19 license period, the fee for the license shall equal \$50 multiplied by the number of
20 calendar years, including parts of calendar years, during which the license remains
21 in effect. A fee determined under this paragraph may not exceed the license fee for
22 the entire license period under par. (c).

23 **SECTION 2342Lt.** 218.11 (3) of the statutes is amended to read:

24 218.11 (3) A license shall be issued only to persons whose character, fitness and
25 financial ability, in the opinion of the ~~licensor~~ department, is such as to justify the

1 belief that they can and will deal with and serve the buying public fairly and honestly,
2 will maintain a permanent office and place of business and an adequate service and
3 parts department during the license year, and will abide by all the provisions of law
4 and lawful orders of the ~~licensor~~ department.

5 **SECTION 2342Lx.** 218.11 (6) (intro.) and (d) of the statutes are amended to read:

6 218.11 (6) (intro.) The ~~licensor~~ department may deny, suspend or revoke a
7 license on the following grounds:

8 (d) Wilful failure to comply with any provision of this section or any rule
9 promulgated by the ~~licensor~~ department under this section.

10 **SECTION 2342pc.** 218.11 (6) (n) of the statutes is amended to read:

11 218.11 (6) (n) Having violated any law relating to the sale, distribution or
12 financing of ~~mobile homes~~ recreational vehicles.

13 **SECTION 2342pg.** 218.11 (7) of the statutes is amended to read:

14 218.11 (7) (a) The ~~licensor~~ department may without notice deny the application
15 for a license within 60 days after receipt thereof by written notice to the applicant,
16 stating the grounds for such denial. Within 30 days after such notice, the applicant
17 may petition the ~~department of administration~~ division of hearings and appeals, as
18 defined in s. 218.01 (1) (gm), to conduct a hearing to review the denial, and a hearing
19 shall be scheduled with reasonable promptness. ~~If the licensor is the department of~~
20 ~~transportation, the division of hearings and appeals shall conduct the hearing.~~ This
21 paragraph does not apply to denials of applications for licenses under sub. (6m).

22 (b) No license may be suspended or revoked except after a hearing thereon. The
23 ~~licensor~~ department shall give the licensee at least 5 days' notice of the time and
24 place of such hearing. The order suspending or revoking such license shall not be
25 effective until after 10 days' written notice thereof to the licensee, after such hearing

1 has been had; except that the ~~licensor~~ department, when in its opinion the best
2 interest of the public or the trade demands it, may suspend a license upon not less
3 than 24 hours' notice of hearing and with not less than 24 hours' notice of the
4 suspension of the license. Matters involving suspensions and revocations ~~brought~~
5 ~~before the licensor~~ shall be heard and decided upon by the ~~department of~~
6 ~~administration.~~ If the ~~licensor is the department of transportation,~~ the division of
7 hearings and appeals ~~shall conduct the hearing.~~ This paragraph does not apply to
8 licenses that are suspended under sub. (6m).

9 (c) The ~~licensor~~ department may inspect the pertinent books, records, letters
10 and contracts of a licensee. The actual cost of each such examination shall be paid
11 by such licensee so examined within 30 days after demand therefor by the ~~licensor,~~
12 department and the ~~licensor~~ department may maintain an action for the recovery of
13 such costs in any court of competent jurisdiction.

14 **SECTION 2342pL.** 218.12 (title) of the statutes is amended to read:

15 **218.12** (title) ~~Mobile home dealer~~ **Recreational vehicle salespersons**
16 **regulated.**

17 **SECTION 2342pp.** 218.12 (1) of the statutes is amended to read:

18 218.12 (1) No person may engage in the business of selling ~~mobile homes to the~~
19 ~~ultimate~~ **recreational vehicles to a** consumer or to the retail market in this state
20 without a license therefor from the ~~licensor~~ department. If a ~~mobile home~~ dealer acts
21 as a ~~mobile home~~ salesperson the dealer shall secure a ~~mobile home~~ salesperson's
22 license in addition to the license for engaging as a ~~mobile home~~ dealer.

23 **SECTION 2342pr.** 218.12 (2) (a) of the statutes is amended to read:

24 218.12 (2) (a) Applications for mobile home salesperson's license and renewals
25 thereof shall be made to the licensor on such forms as the licensor prescribes and

1 furnishes and shall be accompanied by the license fee required under par. (c) or (d).
2 The Except as provided in par. (am) 3. the application shall include the applicant's
3 social security number. In addition, the application shall require such pertinent
4 information as the licensor requires.

5 **SECTION 2342ps.** 218.12 (2) (a) of the statutes, as affected by 1999 Wisconsin
6 Act (this act), is amended to read:

7 218.12 (2) (a) Applications for ~~mobile-home~~ a salesperson's license and
8 renewals thereof shall be made to the ~~licensor~~ department on such forms as the
9 ~~licensor~~ department prescribes and furnishes and shall be accompanied by the
10 license fee required under par. (c) or (d). Except as provided in par. (am) 3., the
11 application shall include the applicant's social security number. In addition, the
12 application shall require such pertinent information as the ~~licensor~~ department
13 requires.

14 **SECTION 2342pt.** 218.12 (2) (am) 1. of the statutes is amended to read:

15 218.12 (2) (am) 1. The Except as provided in subd. 3. the licensor shall deny
16 an application for the issuance or renewal of a license if an individual has not
17 included his or her social security number in the application.

18 **SECTION 2342pu.** 218.12 (2) (am) 1. of the statutes, as affected by 1999
19 Wisconsin Act (this act), is amended to read:

20 218.12 (2) (am) 1. Except as provided in subd. 3., the ~~licensor~~ department shall
21 deny an application for the issuance or renewal of a license if an individual has not
22 included his or her social security number in the application.

23 **SECTION 2342pum.** 218.12 (2) (am) 2. of the statutes is amended to read:

24 218.12 (2) (am) 2. The ~~licensor~~ department of commerce may not disclose a
25 social security number obtained under par. (a) to any person except to the

1 department of workforce development for the sole purpose of administering s. 49.22
2 or to the department of revenue for the sole purpose of requesting certifications
3 under s. 73.0301.

4 **SECTION 2342pv.** 218.12 (2) (am) 3. of the statutes is created to read:

5 218.12 (2) (am) 3. If an applicant does not have a social security number, the
6 applicant, as a condition of applying for or applying to renew a license under this
7 section, shall submit a statement made or subscribed under oath or affirmation to
8 the licensor that the applicant does not have a social security number. The form of
9 the statement shall be prescribed by the department of workforce development. Any
10 license issued or renewed in reliance upon a false statement submitted by an
11 applicant under this subdivision is invalid.

12 **SECTION 2342pw.** 218.12 (2) (am) 3. of the statutes, as created by 1999
13 Wisconsin Act (this act), is amended to read:

14 218.12 (2) (am) 3. If an applicant does not have a social security number, the
15 applicant, as a condition of applying for or applying to renew a license under this
16 section, shall submit a statement made or subscribed under oath or affirmation to
17 the ~~licensor~~ department that the applicant does not have a social security number.
18 The form of the statement shall be prescribed by the department of workforce
19 development. Any license issued or renewed in reliance upon a false statement
20 submitted by an applicant under this subdivision is invalid.

21 **SECTION 2342px.** 218.12 (2) (b) and (d) of the statutes are amended to read:

22 218.12 (2) (b) 1. The ~~licensor~~ department shall promulgate rules establishing
23 the license period under this section.

24 2. The ~~licensor~~ department may promulgate rules establishing a uniform
25 expiration date for all licenses issued under this section.

1 (d) If the ~~licensor~~ department issues a license under this section during the
2 license period, the fee for the license shall equal \$4 multiplied by the number of
3 calendar years, including parts of calendar years, during which the license remains
4 in effect. A fee determined under this paragraph may not exceed the license fee for
5 the entire license period under par. (c).

6 **SECTION 2342tc.** 218.12 (3) of the statutes is amended to read:

7 218.12 (3) Every licensee shall carry his or her license when engaged in his or
8 her business and display the same upon request. The license shall name his or her
9 employer, and in case of a change of employer, the salesperson shall immediately
10 mail his or her license to the ~~licensor who~~ department, which shall endorse such
11 change on the license without charge.

12 **SECTION 2342tg.** 218.12 (5) of the statutes is amended to read:

13 218.12 (5) The provision of s. 218.01 (3) relating to the denial, suspension and
14 revocation of a motor vehicle salesperson's license shall apply to the denial,
15 suspension and revocation of a ~~mobile home~~ salesperson's license so far as applicable,
16 except that such provision does not apply to the denial, suspension or revocation of
17 a license under sub. (3m).

18 **SECTION 2342tL.** 218.12 (6) of the statutes is amended to read:

19 218.12 (6) The provisions of s. 218.01 (3) (g) and (5) shall apply to this section,
20 ~~mobile home~~ recreational vehicle sales practices and the regulation of travel trailer
21 ~~or mobile home~~ recreational vehicle salespersons, as far as applicable.

22 **SECTION 2342tp.** 218.14 of the statutes is repealed.

23 **SECTION 2342tt.** 218.15 of the statutes is amended to read:

24 **218.15** (title) **Sale or lease of used primary housing units recreational**
25 **vehicles.** In the sale or lease of any used ~~primary housing unit~~ recreational vehicle,

1 the sales invoice or lease agreement shall contain the point of manufacture of the
2 used ~~primary housing unit~~ recreational vehicle, the name of the manufacturer and
3 the name and address of the previous owner.

4 **SECTION 2342tx.** 218.16 of the statutes is repealed.

5 **SECTION 2342xc.** 218.165 of the statutes is repealed.

6 **SECTION 2342xg.** 218.17 (1) of the statutes is repealed.

7 **SECTION 2342xL.** 218.17 (2) of the statutes is amended to read:

8 218.17 (2) In any court action brought by the ~~licensor~~ department for violations
9 of this subchapter, the ~~licensor~~ department may recover all costs of testing and
10 investigation, in addition to costs otherwise recoverable, if it prevails in the action.

11 **SECTION 2342xp.** 218.17 (3) of the statutes is amended to read:

12 218.17 (3) Nothing in this subchapter prohibits the an aggrieved customer
13 from bringing of a civil action against a ~~mobile home manufacturer~~, dealer or
14 salesperson ~~by an aggrieved customer~~. If judgment is rendered for the customer
15 based on an act or omission by the ~~manufacturer~~, dealer or salesperson, which
16 constituted a violation of this subchapter, the plaintiff shall recover actual and
17 proper attorney fees in addition to costs otherwise recoverable.

18 **SECTION 2342xs.** 218.21 (2) (intro.) of the statutes is amended to read:

19 218.21 (2) (intro.) Application for a motor vehicle salvage dealer's license shall
20 be made upon the form prescribed by the department and, except as provided in sub.
21 (2f), shall contain:

22 **SECTION 2342xu.** 218.21 (2f) of the statutes is created to read:

23 218.21 (2f) (a) If an applicant who is an individual does not have a social
24 security number, the applicant, as a condition of applying for or applying to renew
25 a motor vehicle salvage dealer's license, shall submit a statement made or subscribed

1 under oath or affirmation to the department that the applicant does not have a social
2 security number. The form of the statement shall be prescribed by the department
3 of workforce development.

4 (b) Any motor vehicle salvage dealer's license issued or renewed in reliance
5 upon a false statement submitted by an applicant under par. (a) is invalid.

6 **SECTION 2342xw.** 218.21 (2m) (a) of the statutes is amended to read:

7 218.21 **(2m)** (a) The department shall deny an application for the issuance or
8 renewal of a license if the any information required under sub. (2) (ag) or (am) is not
9 included in the application.

10 **SECTION 2342xy.** 218.31 (1) (intro.) of the statutes is amended to read:

11 218.31 **(1)** (intro.) Application for a motor vehicle auction dealer's license shall
12 be made upon the form prescribed by the department and, except as provided in sub.
13 (1f), shall contain:

14 **SECTION 2342yc.** 218.31 (1f) of the statutes is created to read:

15 218.31 **(1f)** (a) If an applicant who is an individual does not have a social
16 security number, the applicant, as a condition of applying for or applying to renew
17 a motor vehicle auction dealer's license, shall submit a statement made or subscribed
18 under oath or affirmation to the department that the applicant does not have a social
19 security number. The form of the statement shall be prescribed by the department
20 of workforce development.

21 (b) Any motor vehicle auction dealer's license issued or renewed in reliance
22 upon a false statement submitted by an applicant under par. (a) is invalid.

23 **SECTION 2342ye.** 218.31 (1m) (a) of the statutes is amended to read:

1 218.31 **(1m)** (a) The department shall deny an application for the issuance or
2 renewal of a license if the any information required under sub. (1) (ag) or (am) is not
3 included in the application.

4 **SECTION 2342yg.** 218.41 (2) (am) 1. (intro.) of the statutes is amended to read:

5 218.41 **(2)** (am) 1. (intro.) In addition to any other information required under
6 this subsection and except as provided in subd. 3., an application for a license under
7 this section shall include the following:

8 **SECTION 2342yi.** 218.41 (2) (am) 3. of the statutes is created to read:

9 218.41 **(2)** (am) 3. If an applicant who is an individual does not have a social
10 security number, the applicant, as a condition of applying for or applying to renew
11 a license under this section, shall submit a statement made or subscribed under oath
12 or affirmation to the department that the applicant does not have a social security
13 number. The form of the statement shall be prescribed by the department of
14 workforce development. Any license issued or renewed in reliance upon a false
15 statement submitted by an applicant under this subdivision is invalid.

16 **SECTION 2342yk.** 218.41 (3m) (b) 1. of the statutes is amended to read:

17 218.41 **(3m)** (b) 1. A license shall be denied if the applicant fails to provide the
18 any information required under sub. (2) (am) 1. ~~a. or b.~~

19 **SECTION 2342yL.** 218.51 (3) (am) 1. (intro.) of the statutes is amended to read:

20 218.51 **(3)** (am) 1. (intro.) In addition to any other information required under
21 par. (a) and except as provided in subd. 3., an application for a buyer identification
22 card shall include the following:

23 **SECTION 2342ym.** 218.51 (3) (am) 3. of the statutes is created to read:

24 218.51 **(3)** (am) 3. If an applicant for the issuance or renewal of a buyer
25 identification card is an individual who does not have a social security number, the

1 applicant, as a condition of applying for or applying to renew the buyer identification
2 card, shall submit a statement made or subscribed under oath or affirmation to the
3 department that the applicant does not have a social security number. The form of
4 the statement shall be prescribed by the department of workforce development. Any
5 buyer identification card issued or renewed in reliance upon a false statement
6 submitted by an applicant under this subdivision is invalid.

7 **SECTION 2342yp.** 218.51 (4m) (b) 1. of the statutes is amended to read:

8 218.51 (4m) (b) 1. A buyer identification card shall be denied if the applicant
9 fails to provide the any information required under sub. (3) (am) 1. ~~a. or b.~~

10 **SECTION 2343d.** 220.06 (1) of the statutes is amended to read:

11 220.06 (1) In this section, “licensee” means a person licensed by the division
12 under ch. 138, 217 or 218 or under s. 224.92.

13 **SECTION 2344a.** 221.0303 (2) of the statutes is amended to read:

14 221.0303 (2) OPERATION AND ACQUISITION OF CUSTOMER BANK COMMUNICATIONS
15 TERMINALS. A bank may, directly or indirectly, acquire, place and operate, or
16 participate in the acquisition, placement and operation of, at locations other than its
17 main or branch offices, customer bank communications terminals, in accordance
18 with rules established by the division. The rules of the division shall provide that
19 any such customer bank communications terminal shall be available for use, on a
20 nondiscriminatory basis, by any state or national bank and by all customers
21 designated by a bank using the terminal. This subsection does not authorize a bank
22 which has its principal place of business outside this state to conduct banking
23 business in this state. The customer bank communications terminals also shall be
24 available for use, on a nondiscriminatory basis, by any credit union, savings and loan
25 association or savings bank, if the credit union, savings and loan association or

1 savings bank requests to share its use, subject to rules jointly established by the
2 division of banking, the office of credit unions and the division of savings and loan
3 institutions. The division by order may authorize the installation and operation of
4 a customer bank communications terminal in a mobile facility, after notice and
5 hearing upon the proposed service stops of the mobile facility.

6 **SECTION 2345a.** 221.0321 (5) of the statutes is amended to read:

7 221.0321 (5) CERTAIN SECURED LOANS. A bank may make loans secured by
8 assignment or transfer of stock certificates or other evidence of the borrower's
9 ownership interest in a corporation formed for the cooperative ownership of real
10 estate. Sections 846.10 and 846.101, as they apply to a foreclosure of a mortgage
11 involving a one-family residence, apply to a proceeding to enforce the lender's rights
12 in security given for a loan under this subsection. The division shall promulgate joint
13 rules with the office of credit unions and the division of savings and loan institutions
14 that establish procedures for enforcing a lender's rights in security given for a loan
15 under this subsection.

16 **SECTION 2347a.** 223.105 (3) (a) of the statutes is amended to read:

17 223.105 (3) (a) To assure compliance with such rules as may be established
18 under s. 220.04 (7) the division of banking, the office of credit unions and the division
19 of savings and loan institutions shall, at least once every 18 months, examine the
20 fiduciary operations of each organization which is under its respective jurisdiction
21 and is subject to examination under sub. (2). If a particular organization subject to
22 examination under sub. (2) is not otherwise under the jurisdiction of one of the
23 foregoing agencies, such examination shall be conducted by the division of banking.

24 **SECTION 2348a.** 223.105 (4) of the statutes is amended to read:

1 223.105 (4) NOTICE OF FIDUCIARY OPERATION. Except for those organizations
2 licensed under ch. 221 or this chapter, any organization engaged in fiduciary
3 operations as defined in this section shall, as required by rule, notify the division of
4 banking, the office of credit unions or the division of savings and loan institutions of
5 that fact, directing the notice to the agency then exercising regulatory authority over
6 the organization or, if there is none, to the division of banking. Any organization
7 which intends to engage in fiduciary operations shall, prior to engaging in such
8 operations, notify the appropriate agency of this intention. The notifications
9 required under this subsection shall be on forms and contain information required
10 by the rules promulgated by the division of banking.

11 **SECTION 2349a.** 223.105 (5) of the statutes is amended to read:

12 223.105 (5) ENFORCEMENT REMEDY. The division of banking or the division of
13 savings and loan institutions or office of credit unions shall upon the failure of such
14 organization to submit notifications or reports required under this section or
15 otherwise to comply with the provisions of this section, or rules established by the
16 division of banking under s. 220.04 (7), upon due notice, order such defaulting
17 organization to cease and desist from engaging in fiduciary activities and may apply
18 to the appropriate court for enforcement of such order.

19 **SECTION 2350a.** 223.105 (6) of the statutes is amended to read:

20 223.105 (6) SUNSET. Except for an organization regulated by the office of credit
21 unions or the division of savings and loan institutions or an organization authorized
22 by the division of banking to operate as a bank or trust company under ch. 221 or this
23 chapter, an organization may not begin activity as a fiduciary operation under this
24 section after May 12, 1992. An organization engaged in fiduciary operations under

1 this section on May 12, 1992, may continue to engage in fiduciary operations after
2 that date.

3 **SECTION 2351.** 224.30 (1) (title) of the statutes is created to read:

4 224.30 (1) (title) DEFINITION.

5 **SECTION 2352.** 224.30 (2) (title) of the statutes is created to read:

6 224.30 (2) (title) ELECTRONIC FORMS AND SIGNATURES.

7 **SECTION 2353.** 224.30 (3) of the statutes is created to read:

8 224.30 (3) COMPUTER DATABASES, NETWORKS AND SYSTEMS; ACCESS AND USE FEES.

9 The department may by rule establish fees to be paid by members of the public for
10 accessing or using the department's computer databases, computer networks or
11 computer systems. Every fee established under this paragraph shall be based upon
12 the reasonable cost of the service provided by the department, together with a
13 reasonable share of the costs of developing and maintaining the department's
14 computer databases, computer networks and computer systems.

15 **SECTION 2353c.** 224.72 (2) (c) 1. (intro.) of the statutes is amended to read:

16 224.72 (2) (c) 1. (intro.) ~~An~~ Except as provided in par. (d), an application shall
17 include the following:

18 **SECTION 2353e.** 224.72 (2) (d) of the statutes is created to read:

19 224.72 (2) (d) *Social security number exceptions.* 1. If an applicant who is an
20 individual does not have a social security number, the applicant, as a condition of
21 applying for or applying to renew a registration under this section, shall submit a
22 statement made or subscribed under oath or affirmation to the division that the
23 applicant does not have a social security number. The form of the statement shall
24 be prescribed by the department of workforce development.

1 “Nondepository lender” does not include a bank, credit union, savings and loan
2 association or savings bank.

3 **224.92 License required.** No person may engage in business as a
4 nondepository lender in this state without a license issued under this subchapter.

5 **224.923 License application.** An application for a license under this
6 subchapter shall be made to the division in writing on a form to be prescribed by the
7 division. An application for a license under this subchapter shall state the full name
8 and business address of the applicant and each officer, director and person in control
9 of the applicant. The application also shall contain the applicant’s federal employer
10 identification number. In addition, the application shall contain the applicant’s
11 business plan, 3 years of detailed financial projections and other relevant
12 information, all as prescribed by the division.

13 **224.927 Disclosure of certain application information.** The division may
14 not disclose an applicant’s federal employer identification number received under s.
15 224.923, except as follows:

16 (1) The division may disclose the information to the department of revenue for
17 the sole purpose of requesting certification under s. 73.0301.

18 (2) The division may disclose the information to the department of workforce
19 development in accordance with a memorandum of understanding under s. 49.857.

20 **224.93 License approval.** After a review of information regarding the
21 directors, officers and controlling persons of the applicant for a license, a review of
22 the applicant’s business plan, including at least three years of detailed financial
23 projections and other information considered relevant by the division, the division
24 may approve an application for a license if the division determines that all of the
25 following conditions are met:

1 **(1)** The applicant has at least \$500,000 in capital and the amount of capital is
2 adequate for the applicant to transact business as a nondepository lender.

3 **(2)** Each director, officer and person in control of the applicant is of good
4 character and sound financial standing; the directors and officers of the applicant are
5 competent to perform their functions with respect to the applicant and the directors
6 and officers of the applicant are collectively adequate to manage the business of the
7 applicant as a nondepository lender.

8 **(3)** The business plan of the applicant will be honestly and efficiently conducted
9 in accordance with the intent and purpose of this subchapter.

10 **(4)** The proposed activity of the applicant possesses a reasonable prospect for
11 success.

12 **(5)** The applicant has paid to the division the application fee prescribed by the
13 division, together with the actual cost incurred by the division in investigating the
14 application.

15 **224.935 Expiration of license. (1) GENERALLY.** Except as provided under
16 sub. (2), a license issued under this subchapter expires on the June 30 following the
17 date on which the license was issued.

18 **(2) CHANGE IN CONTROL OF LICENSEE.** A change in the identity or number of
19 individuals that are in control of a licensee terminates the licensee's license under
20 this subchapter, unless the licensee applies to the division for and receives a renewal
21 of the license no later than 15 days after the change in control.

22 **224.94 Renewal of license.** Except as provided under s. 224.935 (2), a
23 licensee shall renew its license by submitting to the division a renewal application
24 and the renewal fee as prescribed by the division not less than 60 days before the date

1 on which the license expires. A renewal application is subject to the same criteria
2 as the criteria for approval of an original license.

3 **224.95 Denial of or disciplinary action relating to license. (1)**

4 MANDATORY DENIAL. The division shall deny an application for issuance or renewal
5 of a license under this subchapter if any of the following applies:

6 (a) The applicant has failed to provide its federal employer identification
7 number under s. 224.923.

8 (b) The department of revenue has certified under s. 73.0301 that the applicant
9 is liable for delinquent taxes. An applicant whose application for issuance or renewal
10 of a license is denied under this paragraph is entitled to a notice under s. 73.0301 (2)
11 (b) 1. b. and a hearing under s. 73.0301 (5) (a) but is not entitled to a notice or hearing
12 under sub. (4).

13 (c) The applicant is an individual who has failed to comply, after appropriate
14 notice, with a subpoena or warrant issued by the department of workforce
15 development or a county child support agency under s. 59.53 (5) and related to
16 paternity or child support proceedings or who is delinquent in making court-ordered
17 payments of child or family support, maintenance, birth expenses, medical expenses
18 or other expenses related to the support of a child or former spouse, as provided in
19 a memorandum of understanding entered into under s. 49.857. An applicant whose
20 application for issuance or renewal of a license is denied under this paragraph is
21 entitled to a notice and a hearing under s. 49.857 but is not entitled to a notice or
22 hearing under sub. (4).

23 **(2) DISCRETIONARY DENIAL OR DISCIPLINARY ACTION.** The division may deny an
24 application for issuance or renewal of a license under this subchapter or may revoke,

1 suspend or limit a license issued under this subchapter if the division finds that the
2 applicant or nondepository lender did any of the following:

3 (a) Made a material misstatement in an application for issuance or renewal of
4 a license issued under this subchapter or in information provided to the division.

5 (b) Demonstrated a lack of competency to act as a nondepository lender.

6 (c) Violated any provision of this subchapter or any rule of the division.

7 **(3) DISCIPLINARY ORDERS.** The division may issue general or special orders
8 necessary to prevent or correct actions by a nondepository lender that constitute
9 cause under this section for revoking, suspending or limiting a license.

10 **(4) APPEAL OF DENIAL OR DISCIPLINARY ACTION.** A person whose application for
11 issuance or renewal of a license under this subchapter has been denied or whose
12 license has been revoked, suspended or limited under this section may request a
13 hearing under s. 227.42 within 30 days after the date of denial, revocation,
14 suspension or limitation. Failure of a person to request a hearing within the time
15 provided under this subsection is a waiver of the person's right to a hearing on the
16 denial, revocation, suspension or limitation.

17 **224.96 Required loan loss reserve.** Each licensee shall provide for a loan
18 loss reserve sufficient to cover projected loan losses that are not guaranteed by the
19 U.S. government or any agency of the U.S. government.

20 **224.97 Division review of nondepository lender operations.** The
21 division may, at any reasonable time, examine the books of account, records,
22 condition and affairs of a nondepository lender licensed under this subchapter. The
23 division shall examine the books of account, records, condition and affairs of every
24 nondepository lender licensed under this subchapter at least once during every 12
25 month period. The division shall prepare a report of each examination conducted

1 under this section. As part of an examination under this section or as part of the
2 preparation of an examination report, the division may examine under oath any
3 person in control, officer, director, agent, employe or customer of the nondepository
4 lender. The division may require a nondepository lender that is examined under this
5 section to pay to the division a reasonable fee for the costs of conducting the
6 examination.

7 **224.98 Powers of licensee.** A licensee may do any of the following:

8 (1) Participate in the loan guaranty program under 15 USC 636 (a).

9 (2) Participate in any other government program for which the licensee is
10 eligible and which has as its function the provision or facilitation of financing or
11 management assistance to business firms.

12 **224.985 Required records and reports.** (1) RECORD KEEPING. A licensee
13 shall keep books, accounts, and other records in such a form and manner as required
14 by rule of the division. These records shall be kept at a location and shall be
15 preserved for a length of time as prescribed by rule of the division.

16 (2) ANNUAL REPORT. Not more than 90 days after the close of a licensee's fiscal
17 year or upon request of the division, every licensee shall file with the division a report
18 containing all of the following:

19 (a) Financial statements, including the balance sheet, the statement of income
20 or loss, the statement of changes in capital accounts and the statement of changes
21 in financial position of the licensee. The licensee shall ensure that the financial
22 statements have been audited by an independent certified public account and
23 prepared in accordance with generally accepted account principles.

24 (b) Other relevant information requested by the division.

1 **224.99 Rule making.** The division may promulgate rules for the efficient
2 administration of this subchapter.

3 **SECTION 2353m.** 227.01 (1) of the statutes is amended to read:

4 227.01 (1) “Agency” means the Wisconsin land council or a board, commission,
5 committee, department or officer in the state government, except the governor, a
6 district attorney or a military or judicial officer.

7 **SECTION 2353n.** 227.01 (1) of the statutes, as affected by 1999 Wisconsin Act
8 (this act), is amended to read:

9 227.01 (1) “Agency” means ~~the Wisconsin land council~~ or a board, commission,
10 committee, department or officer in the state government, except the governor, a
11 district attorney or a military or judicial officer.

12 **SECTION 2353s.** 227.01 (13) (t) of the statutes is amended to read:

13 227.01 (13) (t) Ascertains and determines prevailing wage rates and prevailing
14 hours of labor under ~~ss. s. 20.924 (1) (j) 3. c., 66.293, 103.49 and or 103.50~~, except that
15 any action or inaction which ascertains and determines prevailing wage rates and
16 prevailing hours of labor under ~~ss. s. 20.924 (1) (j) 3. c., 66.293, 103.49 and or 103.50~~
17 is subject to judicial review under s. 227.40.

18 **SECTION 2353sm.** 227.01 (13) (zu) of the statutes is created to read:

19 227.01 (13) (zu) Establishes standards under subch. IX of ch. 254.

20 **SECTION 2355m.** 227.113 of the statutes is created to read:

21 **227.113 Incorporation of local, comprehensive planning goals.** Each
22 agency, where applicable and consistent with the laws that it administers, is
23 encouraged to design the rules promulgated by the agency to reflect a balance
24 between the mission of the agency and the goals specified in s. 1.13 (2).

25 **SECTION 2355mm.** 227.14 (1s) of the statutes is created to read:

1 227.14 **(1s)** EXCEPTION; PREPARATION OF CERTAIN RULES BASED ON FEDERAL FOOD
2 CODE. Notwithstanding sub. (1), if the department of agriculture, trade and
3 consumer protection or the department of health and family services prepares a
4 proposed rule based on the model food code published by the federal food and drug
5 administration, the proposed rule may be in the format of the model food code.

6 **SECTION 2356m.** 227.43 (1) (bg) of the statutes is amended to read:

7 227.43 **(1)** (bg) Assign a hearing examiner to preside over any hearing or review
8 under ss. 84.30 (18), 84.31 (6) (a), 85.013 (1), 86.073 (3), 86.16 (5), 86.195 (9) (b), 86.32
9 (1), 101.935 (2) (b), 101.951 (7) (a) and (b), 114.134 (4) (b), 114.135 (9), 114.20 (19),
10 175.05 (4) (b), 194.145 (1), 194.46, 218.01 (2) (bd) 2. and (c) 2., (3) (b), (c), (f) 1., (fm)
11 1. and (h) and (3c) (d), 218.11 (7) (a) and (b), 218.22 (4) (a) and (b), 218.32 (4) (a) and
12 (b), 218.41 (4), 218.51 (5) (a) and (b), 341.09 (2m) (d), 342.26, 343.69 and 348.25 (9).

13 **SECTION 2357a.** 227.52 (5) of the statutes is amended to read:

14 227.52 **(5)** Decisions of the division of savings and ~~loan~~ institutions.

15 **SECTION 2358a.** 227.53 (1) (b) 4. of the statutes is amended to read:

16 227.53 **(1)** (b) 4. The savings and loan review board, the division of savings and
17 ~~loan~~ institutions, except if the petitioner is the division of savings and ~~loan~~
18 institutions, the prevailing parties before the savings and loan review board shall be
19 the named respondents.

20 **SECTION 2359a.** 227.53 (1) (b) 5. of the statutes is amended to read:

21 227.53 **(1)** (b) 5. The savings bank review board, the division of savings and ~~loan~~
22 institutions, except if the petitioner is the division of savings and ~~loan~~ institutions,
23 the prevailing parties before the savings bank review board shall be the named
24 respondents.

25 **SECTION 2359h.** 229.42 (7) (b) 1. of the statutes is amended to read:

1 229.42 (7) (b) 1. Subject to subds. 2. and 3., the terms of office of the members
2 of the board shall be 3 years, except that for the initial appointments for a newly
3 created district, as specified in the enabling resolution, 4 of the appointments shall
4 be for one year, 4 appointments, including the 3 members appointed under sub. (4)
5 (d), shall be for 2 years and 4 appointments shall be for 3 years. The cochairpersons
6 of the joint committee on finance or their designees shall serve on the board for a term
7 that is concurrent with their terms in office and the comptroller's appointment shall
8 be for the comptroller's tenure in his or her position. ~~No member who is an officer
9 or employe of a private sector entity may serve more than 2 consecutive full terms.~~

10 **SECTION 2359tb.** 230.04 (19m) of the statutes is created to read:

11 230.04 (19m) The secretary shall ensure that no agency require that its
12 employes record their number of hours worked during any part of a pay period on a
13 form on which the employe's social security number is printed.

14 **SECTION 2359ti.** 230.046 (2) of the statutes is amended to read:

15 230.046 (2) SUPERVISORY TRAINING. After initial appointment to a supervisory
16 position, ~~the~~ each appointing authority shall ensure that each classified service
17 supervisor successfully completes a supervisory development program ~~approved by~~
18 ~~the secretary.~~ A waiver of any part of the probationary period under s. 230.28 (1) (c)
19 may not be granted before completion of the development program. The program
20 shall include such subjects as state personnel policies, grievance handling,
21 discipline, performance evaluation, understanding the concerns of state employes
22 with children, the supervisor's role in management and the concept of the total
23 quality leadership process, including quality improvement through participatory
24 management.

25 **SECTION 2359to.** 230.046 (3) (intro.) of the statutes is amended to read:

1 230.046 **(3)** TRAINING PROGRAMS. (intro.) ~~The secretary, pursuant to sub. (5),~~
2 may authorize Each appointing authorities to authority may do any of the following:

3 **SECTION 2359ts.** 230.046 (4) of the statutes is amended to read:

4 230.046 **(4)** RECORDS OF TRAINING PROGRAM PARTICIPATION. Each agency shall
5 adopt a standardized system for measuring, recording, reporting, accumulating and
6 recognizing employe participation in its training program. ~~The system may not take~~
7 ~~effect until approved by the secretary.~~

8 **SECTION 2359tw.** 230.046 (5) (intro.) of the statutes is amended to read:

9 230.046 **(5)** INITIATION OF PROGRAMS. (intro.) Unless otherwise empowered by
10 law, any agency desiring to initiate a training program under sub. (3) shall ~~certify~~
11 ~~to the secretary~~ ensure that:

12 **SECTION 2359uc.** 230.046 (10) of the statutes is repealed and recreated to read:

13 230.046 **(10)** DEPARTMENT FUNCTIONS. The department may do all of the
14 following:

15 (a) Conduct ~~off-the-job~~ employe development and training programs relating
16 to functions under this chapter or subch. V of ch. 111.

17 (b) Charge fees to state agencies whose employes participate in employe
18 development and training programs under this subsection.

19 **SECTION 2359uh.** 230.046 (11) of the statutes is repealed.

20 **SECTION 2359x.** 230.08 (2) (e) 3e. of the statutes is created to read:

21 230.08 **(2)** (e) 3e. Corrections -- 5.

22 **SECTION 2360m.** 230.08 (2) (e) 4. of the statutes is amended to read:

23 230.08 **(2)** (e) 4. Employment relations — ~~4~~ 3.

24 **SECTION 2361.** 230.08 (2) (e) 6. of the statutes is amended to read:

25 230.08 **(2)** (e) 6. Workforce development — ~~8~~ 7.

1 **SECTION 2361d.** 230.08 (2) (e) 8. of the statutes is amended to read:

2 230.08 (2) (e) 8. Natural resources — 6 Z.

3 **SECTION 2362p.** 230.08 (2) (pm) of the statutes is amended to read:

4 230.08 (2) (pm) The All employees of the state fair park director board.

5 **SECTION 2363.** 230.08 (2) (u) of the statutes is repealed.

6 **SECTION 2365.** 230.08 (2) (yr) of the statutes is created to read:

7 230.08 (2) (yr) The executive director of the governor’s work-based learning
8 board.

9 **SECTION 2367d.** 230.28 (1) (am) of the statutes is amended to read:

10 230.28 (1) (am) All probationary periods for employees in supervisory or
11 management positions are one year unless waived after 6 months under par. (c). The
12 waiver under par. (c) may be exercised for an employe in a supervisory position only
13 if the employe has successfully completed ~~the~~ a supervisory development program
14 under s. 230.046 (2). However, persons who transfer or are reinstated to supervisory
15 or management positions consistent with conditions under sub. (4) and who had
16 previously obtained permanent status in class in a supervisory or management
17 position prior to the transfer or reinstatement shall serve a probationary period in
18 accordance with sub. (4).

19 **SECTION 2367e.** 231.03 (6) (intro.) of the statutes is amended to read:

20 231.03 (6) (intro.) Issue Subject to s. 231.08 (7), issue bonds of the authority,
21 and may refuse to issue bonds of the authority only if it determines that the issuance
22 would not be financially feasible, to do the following:

23 **SECTION 2367m.** 231.08 (1) of the statutes is amended to read:

24 231.08 (1) The Subject to sub. (7), the authority may from time to time issue
25 bonds for any corporate purpose. All such bonds or other obligations of the authority

1 issued under this chapter are declared to be negotiable for all purposes,
2 notwithstanding their payment from a limited source and without regard to any
3 other law. The authority shall employ the building commission as its financial
4 consultant to assist and coordinate the issuance of bonds and notes of the authority.

5 **SECTION 2367o.** 231.08 (7) of the statutes is created to read:

6 231.08 (7) Beginning on the effective date of this subsection [revisor inserts
7 date], the authority may not issue bonds for the purpose of purchasing a health
8 maintenance organization, as defined in s. 609.01 (2), or any other insurer, as defined
9 in s. 600.03 (27).

10 **SECTION 2367q.** 233.03 (12) of the statutes is amended to read:

11 233.03 (12) ~~Seek~~ Subject to s. 233.24, seek financing from, and incur
12 indebtedness to, the Wisconsin Health and Educational Facilities Authority.

13 **SECTION 2368m.** 233.20 (1) of the statutes is amended to read:

14 233.20 (1) ~~The~~ Subject to s. 233.24, the authority may issue bonds for any
15 corporate purpose. All bonds are negotiable for all purposes, notwithstanding their
16 payment from a limited source.

17 **SECTION 2368r.** 233.24 of the statutes is created to read:

18 **233.24 Limits on issuing bonds and incurring indebtedness.** Beginning
19 on the effective date of this section [revisor inserts date], the authority may not
20 issue bonds or incur indebtedness to the Wisconsin Health and Educational
21 Facilities Authority for the purpose of purchasing a health maintenance
22 organization, as defined in s. 609.01 (2), or any other insurer, as defined in s. 600.03
23 (27).

24 **SECTION 2369.** 233.27 of the statutes is amended to read:

1 **233.27 Limit on the amount of outstanding bonds.** The authority may not
2 issue bonds or incur indebtedness described under s. 233.03 (12) if, after the bonds
3 are issued or the indebtedness is incurred, the aggregate principal amount of the
4 authority's outstanding bonds, together with all indebtedness described under s.
5 233.03 (12) would exceed ~~\$50,000,000~~ \$106,500,000. Bonds issued to fund or refund
6 outstanding bonds, or indebtedness incurred to pay off or purchase outstanding
7 indebtedness, is not included in calculating compliance with the ~~\$50,000,000~~
8 \$106,500,000 limit.

9 **SECTION 2370.** 234.04 (2) of the statutes is amended to read:

10 **234.04 (2)** The authority may make or participate in the making and enter into
11 commitments for the making of long-term mortgage loans to eligible sponsors of
12 housing projects for occupancy by persons and families of low and moderate income,
13 or for the making of homeownership mortgage loans or housing rehabilitation loans
14 to persons and families of low and moderate income, an applicant under s. 234.59 or
15 other eligible beneficiaries as defined in s. 234.49. The loans may be made only upon
16 the determination by the authority that they are not otherwise available from
17 private lenders upon reasonably equivalent terms and conditions. The authority
18 may not make a loan to a person if it receives a certification under s. 49.855 (7) that
19 ~~the person is delinquent in child support or maintenance payments or owes past~~
20 ~~support, medical expenses or birth expenses~~ whose name appears on the statewide
21 support lien docket under s. 49.854 (2) (b), unless the person provides to the authority
22 a payment agreement that has been approved by the county child support agency
23 under s. 59.53 (5) and that is consistent with rules promulgated under s. 49.858 (2)
24 (a). The authority may employ, for such compensation as it determines, the services
25 of any financial institution in connection with any loan.

1 **SECTION 2370m.** 234.265 (2) of the statutes is amended to read:

2 234.265 (2) Records or portions of records consisting of personal or financial
3 information provided by a person seeking a grant or loan under s. 234.08, 234.49,
4 234.59, 234.61, 234.65, 234.67, 234.83, 234.84, ~~234.88~~, 234.90, 234.905, 234.907 or
5 234.91, seeking a loan under ss. 234.621 to 234.626, seeking financial assistance
6 under s. 234.66, seeking investment of funds under s. 234.03 (18m) or in which the
7 authority has invested funds under s. 234.03 (18m), unless the person consents to
8 disclosure of the information.

9 **SECTION 2371.** 234.49 (1) (c) of the statutes is renumbered 234.49 (1) (c) (intro.)
10 and amended to read:

11 234.49 (1) (c) (intro.) “Eligible beneficiary” means a any of the following:

12 1. ~~A person for whom the authority has not received a certification from the~~
13 ~~department of workforce development under s. 49.855 (7) or a~~ whose name does not
14 appear on the statewide support lien docket under s. 49.854 (2) (b), except that a
15 person whose name appears on the statewide support lien docket is an “eligible
16 beneficiary” if the person provides to the authority a payment agreement that has
17 been approved by the county child support agency under s. 59.53 (5) and that is
18 consistent with rules promulgated under s. 49.858 (2) (a).

19 2. A family who or which falls within the income limits specified in par. (f).

20 **SECTION 2372c.** 234.51 (2) (intro.) of the statutes is amended to read:

21 234.51 (2) (intro.) Subject to agreements with bondholders, the authority shall
22 use moneys in the fund solely for the following purposes:

23 **SECTION 2372d.** 234.51 (2) (a) of the statutes is amended to read:

1 234.51 (2) (a) To pay all administrative costs, expenses and charges, including
2 origination fees and servicing fees, incurred in conducting the housing rehabilitation
3 loan program other than those described in ss. 234.53 (4) and 234.55 (2) (b); ~~or,~~

4 **SECTION 2372e.** 234.51 (2) (b) of the statutes is repealed and recreated to read:

5 234.51 (2) (b) To transfer annually to the general fund, beginning no later than
6 October 1, 2000, all moneys in the housing rehabilitation loan program
7 administration fund that are no longer required for the housing rehabilitation loan
8 program.

9 **SECTION 2372f.** 234.51 (2) (c) of the statutes is created to read:

10 234.51 (2) (c) To make the transfer under 1999 Wisconsin Act (this act),
11 section 9125 (1), to the Wisconsin development reserve fund under s. 234.93.

12 **SECTION 2372g.** 234.51 (2) (c) of the statutes, as created by 1999 Wisconsin Act
13 (this act), is repealed.

14 **SECTION 2373.** 234.52 (2) of the statutes is amended to read:

15 234.52 (2) Subject to agreements with bondholders, the authority shall use
16 moneys in the fund solely for transfer to the housing rehabilitation loan program
17 bond redemption fund in amounts equal to losses on housing rehabilitation loans
18 owned by that fund which are not made good by federal insurance or guarantee
19 payments, and solely for the purposes described in s. 234.55 (2) (a). Any balance
20 remaining after payment or due provision for payment of all outstanding bonds
21 issued under the authority of s. 234.50 shall be transferred to the housing
22 rehabilitation loan program administration fund ~~only for the purpose of deposit in~~
23 ~~the state general fund.~~

24 **SECTION 2374.** 234.55 (3) of the statutes is amended to read:

1 234.55 (3) Any balance remaining after satisfaction of all obligations under
2 sub. (2) shall be transferred to the housing rehabilitation loan program
3 administration fund ~~only for the purpose of deposit in the state general fund.~~

4 **SECTION 2375.** 234.59 (3) (c) of the statutes is amended to read:

5 234.59 (3) (c) The authority shall notify an eligible lender if it ~~receives a~~
6 ~~certification under s. 49.855 (7) that a person is delinquent in child support or~~
7 ~~maintenance payments or owes past support, medical expenses or birth expenses a~~
8 person's name appears on the statewide support lien docket under s. 49.854 (2) (b).

9 An eligible lender may not make a loan to an applicant if it receives notification under
10 this paragraph concerning the applicant, unless the applicant provides to the lender
11 a payment agreement that has been approved by the county child support agency
12 under s. 59.53 (5) and that is consistent with rules promulgated under s. 49.858 (2)
13 (a).

14 **SECTION 2377.** 234.65 (3) (f) of the statutes is amended to read:

15 234.65 (3) (f) The authority ~~has not received a certification under s. 49.855 (7)~~
16 ~~that the person receiving the loan is delinquent in child support or maintenance~~
17 ~~payments or owes past support, medical expenses or birth expenses~~ name of the
18 person receiving the loan does not appear on the statewide support lien docket under
19 s. 49.854 (2) (b). The condition under this paragraph is met for a person whose name
20 does appear if the person provides to the authority a payment agreement that has
21 been approved by the county child support agency under s. 59.53 (5) and that is
22 consistent with rules promulgated under s. 49.858 (2) (a).

23 **SECTION 2383.** 234.83 (2) (a) 3. of the statutes is amended to read:

24 234.83 (2) (a) 3. The authority ~~has not received a certification under s. 49.855~~
25 ~~(7) that the owner of the business is delinquent in making child support or~~

1 maintenance payments name of the owner of the business does not appear on the
2 statewide support lien docket under s. 49.854 (2) (b). The condition under this
3 subdivision is met for an owner whose name does appear if the owner of the business
4 provides to the authority a payment agreement that has been approved by the county
5 child support agency under s. 59.53 (5) and that is consistent with rules promulgated
6 under s. 49.858 (2) (a).

7 **SECTION 2388b.** 234.88 of the statutes is repealed.

8 **SECTION 2389.** 234.90 (2) (b) of the statutes is amended to read:

9 234.90 (2) (b) The total outstanding principal amount of all loans to the
10 borrower that are guaranteed under this section will not exceed \$20,000 \$30,000.

11 **SECTION 2390.** 234.90 (3) (d) of the statutes is amended to read:

12 234.90 (3) (d) ~~The authority has not received a certification under s. 49.855 (7)~~
13 ~~that the farmer is delinquent in making child support or maintenance payments or~~
14 ~~owes past support, medical expenses or birth expenses~~ farmer's name does not
15 appear on the statewide support lien docket under s. 49.854 (2) (b). The condition
16 under this paragraph is met for a farmer whose name does appear if the farmer
17 provides to the authority a payment agreement that has been approved by the county
18 child support agency under s. 59.53 (5) and that is consistent with rules promulgated
19 under s. 49.858 (2) (a).

20 **SECTION 2391.** 234.90 (3g) (c) of the statutes is amended to read:

21 234.90 (3g) (c) ~~The authority has not received a certification under s. 49.855~~
22 ~~(7) that the farmer is delinquent in making child support or maintenance payments~~
23 ~~or owes past support, medical expenses or birth expenses~~ farmer's name does not
24 appear on the statewide support lien docket under s. 49.854 (2) (b). The condition
25 under this paragraph is met for a farmer whose name does appear if the farmer

1 provides to the authority a payment agreement that has been approved by the county
2 child support agency under s. 59.53 (5) and that is consistent with rules promulgated
3 under s. 49.858 (2) (a).

4 **SECTION 2392.** 234.905 (3) (d) of the statutes is amended to read:

5 234.905 (3) (d) ~~The authority has not received a certification under s. 49.855~~
6 ~~(7) that the farmer is delinquent in making child support or maintenance payments~~
7 ~~or owes past support, medical expenses or birth expenses~~ farmer's name does not
8 appear on the statewide support lien docket under s. 49.854 (2) (b). The condition
9 under this paragraph is met for a farmer whose name does appear if the farmer
10 provides to the authority a payment agreement that has been approved by the county
11 child support agency under s. 59.53 (5) and that is consistent with rules promulgated
12 under s. 49.858 (2) (a).

13 **SECTION 2393.** 234.91 (2) (c) of the statutes is amended to read:

14 234.91 (2) (c) The total outstanding guaranteed principal amount of all loans
15 made to the borrower that are guaranteed under this section will not exceed \$100,000
16 \$200,000, or ~~\$50,000~~ \$100,000 if any of the loans is affected by any other state or
17 federal credit assistance program.

18 **SECTION 2393c.** 234.91 (5) (a) of the statutes is amended to read:

19 234.91 (5) (a) Subject to par. (c), the authority shall guarantee collection of a
20 percentage of the principal of a loan eligible for a guarantee under sub. (2). The
21 principal amount of an eligible loan that the authority may guarantee may not
22 exceed the borrower's net worth calculated at the time the loan is made or 25% of the
23 total loan outstanding principal amount, whichever is less, ~~calculated at the time the~~
24 ~~loan is made.~~

25 **SECTION 2394.** 234.93 (1) (cm) of the statutes is created to read:

1 234.93 (1) (cm) Any moneys transferred under 1999 Wisconsin Act (this act),
2 section 9125 (1), from the housing rehabilitation loan program administration fund.

3 **SECTION 2394r.** 234.93 (1) (e) of the statutes is repealed.

4 **SECTION 2396.** 234.93 (4) (a) 2. of the statutes is amended to read:

5 234.93 (4) (a) 2. To fund guarantees under all of the programs guaranteed by
6 funds from the Wisconsin development reserve fund, except for the program under
7 s. 234.935, 1997 stats., at a ratio of \$1 of reserve funding to \$4.50 of total outstanding
8 principal and outstanding guaranteed principal that the authority may guarantee
9 under all of those programs.

10 **SECTION 2397.** 234.93 (4) (a) 3. of the statutes is amended to read:

11 234.93 (4) (a) 3. To fund guarantees under the program under s. 234.935, 1997
12 stats., at a ratio of \$1 of reserve funding to \$4 of total principal and outstanding
13 guaranteed principal that the authority may guarantee under that program.

14 **SECTION 2398.** 234.935 of the statutes is repealed.

15 **SECTION 2398g.** 236.13 (1) (c) of the statutes is repealed and recreated to read:

16 236.13 (1) (c) A comprehensive plan under s. 66.0295 or, if the municipality,
17 town or county does not have a comprehensive plan, either of the following:

18 1. With respect to a municipality or town, a master plan under s. 62.23.

19 2. With respect to a county, a development plan under s. 59.69.

20 **SECTION 2400em.** 250.01 (4) (a) 5. of the statutes is created to read:

21 250.01 (4) (a) 5. A multiple municipal local health department established
22 under s. 251.02 (3r).

23 **SECTION 2400gm.** 250.041 (1) (intro.) of the statutes is amended to read:

24 250.041 (1) (intro.) The Except as provided in sub. (1m), the department shall
25 require each applicant to provide the department with the applicant's social security

1 number, if the applicant is an individual, as a condition of issuing or renewing any
2 of the following:

3 **SECTION 2400gn.** 250.041 (1m) of the statutes is created to read:

4 250.041 **(1m)** If an individual who applies for or to renew a registration, license,
5 certification, approval, permit or certificate under sub. (1) does not have a social
6 security number, the individual, as a condition of obtaining the registration, license,
7 certification, approval, permit or certificate, shall submit a statement made or
8 subscribed under oath or affirmation to the department that the applicant does not
9 have a social security number. The form of the statement shall be prescribed by the
10 department of workforce development. A registration, license, certification,
11 approval, permit or certificate issued or renewed in reliance upon a false statement
12 submitted under this subsection is invalid.

13 **SECTION 2400gp.** 250.05 (8m) (a) of the statutes is amended to read:

14 250.05 **(8m)** (a) The Except as provided in par. (am), the department shall
15 require each applicant for registration under this section to provide the department
16 with the applicant's social security number as a condition of issuing or renewing the
17 registration.

18 **SECTION 2400gq.** 250.05 (8m) (am) of the statutes is created to read:

19 250.05 **(8m)** (am) If an individual who applies for or to renew a registration
20 under par. (a) does not have a social security number, the individual, as a condition
21 of obtaining registration, shall submit a statement made or subscribed under oath
22 or affirmation to the department that the applicant does not have a social security
23 number. The form of the statement shall be prescribed by the department of
24 workforce development. A registration issued or renewed in reliance upon a false
25 statement submitted under this paragraph is invalid.

1 **SECTION 2400gr.** 250.05 (8m) (c) of the statutes is amended to read:

2 250.05 **(8m)** (c) The Except as provided in par. (am), the department shall deny
3 an application for the issuance or renewal of registration under this section if the
4 applicant does not provide the information specified in par. (a).

5 **SECTION 2400h.** 250.10 of the statutes is amended to read:

6 **250.10 Grant for dental services.** From the appropriation under s. 20.435
7 (5) (de), the department shall provide funding in each fiscal year to the Marquette
8 University School of Dentistry for clinical education of Marquette University School
9 of Dentistry students through the provision of dental services by the students and
10 faculty of the Marquette University School of Dentistry in ~~Waushara County and~~
11 ~~Monroe County, in~~ underserved areas and to underserved populations in the state,
12 as determined by the department in conjunction with the Marquette University
13 School of Dentistry; to inmates of correctional centers in Milwaukee County; and in
14 clinics in the city of Milwaukee. Beginning July 1, 2000, the department shall also
15 distribute to qualified applicants grants totaling \$25,000 for fluoride supplements,
16 \$25,000 for a fluoride mouth-rinse program and \$60,000 for a school-based dental
17 sealant program.

18 **SECTION 2400m.** 250.15 of the statutes is created to read:

19 **250.15 Grants for community health centers. (1) DEFINITION.** In this
20 section, “community health center” means a health care entity that provides primary
21 health care, health education and social services to low-income individuals.

22 **(2) GRANTS.** (a) From the appropriation under s. 20.435 (5) (fh), the department
23 shall award \$50,000 in each fiscal year as a grant to a community health center in
24 a 1st class city and shall award \$100,000 in each fiscal year as a grant to a
25 nurse-managed community health center in a first class city.

1 (b) From the appropriation under s. 20.435 (5) (fh), the department shall award
2 grants totaling \$3,500,000 in fiscal year 1999–2000 and totaling \$4,000,000 in fiscal
3 year 2000–01 and in each fiscal year thereafter, to community health centers that
4 receive federal grants under 42 USC 254b (e), (g) or (h). Each grant shall equal the
5 amount that results from multiplying the total amount available for grants under
6 this paragraph in the fiscal year in which the grants are to be awarded by the
7 quotient obtained by dividing the amount that the community health center received
8 under 42 USC 254b (e), (g) or (h) in the most recently concluded federal fiscal year
9 in which those grants were made by the total amount of federal grants under 42 USC
10 254b (e), (g) and (h) made in that federal fiscal year to community health centers in
11 this state.

12 (c) From the appropriation under s. 20.435 (5) (fh), the department shall award
13 \$25,000 in each fiscal year as a grant to HealthNet of Janesville, Inc.

14 **SECTION 2400qc.** 251.02 (1) of the statutes is amended to read:

15 251.02 (1) In counties with a population of less than 500,000, the county board
16 shall establish a county health department that meets the requirements of this
17 chapter. The county health department shall serve all areas of the county that are
18 not served by a city health department that was established prior to
19 January 1, 1994, ~~or~~ by a town or village health department established under sub.
20 (3m) or by a multiple local health department established under sub. (3r). No city
21 health department may be established after ~~that date~~ January 1, 1994, but a
22 city–county health department may be established after that date.

23 **SECTION 2400qd.** 251.02 (3r) of the statutes is created to read:

24 251.02 (3r) In a county described in sub. (3m), in addition to the local health
25 department required to be established under sub. (3m), the governing body of a city,

1 village or town in that county may, in concert with the governing body of another city,
2 village or town in that county, establish a multiple municipal local health
3 department and elect a local health officer consistent with this chapter.

4 **SECTION 2400qe.** 251.03 (4r) of the statutes is created to read:

5 251.03 (4r) Subsections (1) to (4m) do not apply to a city, village or town that
6 establishes a multiple municipal local health department under s. 251.02 (3r). In
7 establishing a multiple municipal local health department as described under s.
8 251.02 (3r), the relevant governing bodies shall agree on how many members of the
9 local board of health are appointed by each governing body and how many of each
10 governing body's appointees shall be members who are not elected officials or
11 employes of the governing body. The members shall be appointed by the relevant
12 governing bodies. A local board of health under this subsection shall elect a
13 chairperson and clerk.

14 **SECTION 2400qf.** 251.04 (1) of the statutes is amended to read:

15 251.04 (1) A city or county board of health shall govern each local health
16 department other than a local health department as authorized in s. 251.02 (3m) and
17 (3r) and a city or county board of health or a board of health for a local health
18 department as authorized in s. 251.02 (3m) and (3r) shall assure the enforcement of
19 state public health statutes and public health rules of the department as prescribed
20 for a Level I local health department. A local board of health may contract or
21 subcontract to provide public health services. The contractor's staff shall meet the
22 appropriate qualifications for positions in a Level I local health department.

23 **SECTION 2400qg.** 251.04 (2) of the statutes is amended to read:

24 251.04 (2) A city or county board of health or a board of health for a local health
25 department as authorized in s. 251.02 (3m) or (3r) shall assure that its local health

1 department is a Level I, Level II or Level III local health department, as specified in
2 s. 251.05 (1).

3 **SECTION 2400qh.** 251.04 (3) of the statutes is amended to read:

4 251.04 (3) A city or county board of health or a board of health for a local health
5 department as authorized in s. 251.02 (3m) or (3r) may adopt those regulations, for
6 its own guidance and for the governance of the local health department, that it
7 considers necessary to protect and improve public health. The regulations may be
8 no less stringent than, and may not conflict with, state statutes and rules of the
9 department.

10 **SECTION 2400qi.** 251.06 (1) (a) 2. of the statutes is amended to read:

11 251.06 (1) (a) 2. A local health officer of a village or town health department
12 established under s. 251.02 (3m) or of a multiple municipal local health department
13 established under s. 251.02 (3r) shall be either a physician or a registered nurse. The
14 local health officer shall be a voting member of the local board of health and shall take
15 an oath of office. With respect to the levels of services of a Level I local health
16 department, as specified in s. 251.05 (2) (a), the local health officer shall be
17 authorized to act by and be directed by the county health officer of the county
18 specified under s. 251.02 (3m).

19 **SECTION 2400qim.** 251.06 (2) (c) (intro.) of the statutes is amended to read:

20 251.06 (2) (c) (intro.) A local health officer of a local health department of a
21 village or town established under s. 251.02 (3m) or a local health officer of a multiple
22 municipal local health department established under s. 251.02 (3r) shall be one of the
23 following:

24 **SECTION 2400qin.** 251.06 (2) (c) 1. of the statutes is amended to read:

1 251.06 (2) (c) 1. An employe of the local health department of the village or town
2 or an employe of the multiple municipal local health department.

3 **SECTION 2400qj.** 251.06 (4) (c) of the statutes is amended to read:

4 251.06 (4) (c) A local health officer of a village or town health department
5 established under s. 251.02 (3m) and a local health officer of a multiple municipal
6 local health department established under s. 251.02 (3r) shall be appointed by the
7 local board of health.

8 **SECTION 2400qk.** 251.12 of the statutes is amended to read:

9 **251.12 City health department, how financed.** The common council shall
10 appropriate funds for the operation of a city health department that is established
11 as specified in s. 251.02 (1) and (2) and for the operation of a multiple municipal local
12 health department that is established under s. 251.02 (3r) by the governing body of
13 a city in concert with the governing body of another city or a village or town.

14 **SECTION 2400qL.** 251.125 of the statutes is amended to read:

15 **251.125 Village health department, how financed.** If a village health
16 department is established under s. 251.02 (2) or (3m) or if a multiple municipal local
17 health department is established under s. 251.01 (3r) by the governing body of a
18 village in concert with the governing body of another village or a city or town, the
19 village board shall appropriate funds for the operation of the department.

20 **SECTION 2400qm.** 251.127 of the statutes is amended to read:

21 **251.127 Town health department, how financed.** If a town health
22 department is established under s. 251.02 (3m) or if a multiple municipal local health
23 department is established under s. 251.02 (3r) by the governing body of a town in
24 concert with the governing body of another town or a city or village, the town board
25 shall appropriate funds for the operation of the department.

1 **SECTION 2400rf.** 252.07 (1) of the statutes is renumbered 252.07 (1m) and
2 amended to read:

3 **252.07 (1m)** ~~Tuberculosis is a communicable disease caused by mycobacterium~~
4 ~~tuberculosis and is~~ Infectious tuberculosis and suspect tuberculosis are subject to the
5 reporting requirements specified in s. 252.05. Any laboratory that ~~performs a test~~
6 receives a specimen for tuberculosis testing shall report all positive results obtained
7 by any appropriate procedure, including a procedure performed by an out-of-state
8 laboratory, to the local health officer and to the department.

9 **SECTION 2400rg.** 252.07 (1g) of the statutes is created to read:

10 **252.07 (1g)** In this section:

11 (a) “Infectious tuberculosis” means tuberculosis disease of the respiratory
12 tract, capable of producing infection or disease in others as demonstrated by the
13 presence of acid-fast bacilli in the sputum or bronchial secretions or by chest
14 radiograph and clinical findings.

15 (b) “Isolate” means a population of mycobacterium tuberculosis bacteria that
16 has been obtained in pure culture medium.

17 (c) “Isolation” means the separation from other persons of a person with
18 infectious tuberculosis in a place and under conditions that prevent the transmission
19 of the infection.

20 (d) “Suspect tuberculosis” means an illness marked by symptoms and
21 laboratory tests that may be indicative of tuberculosis, such as a prolonged cough,
22 prolonged fever, hemoptysis, compatible roentgenographic findings or other
23 appropriate medical imaging findings.

24 **SECTION 2400rh.** 252.07 (1p) of the statutes is created to read:

1 252.07 **(1p)** Any laboratory that performs primary culture for mycobacteria
2 shall also perform organism identification for mycobacterium tuberculosis complex
3 using an approved rapid testing procedure specified by the department by rule.

4 **SECTION 2400ri.** 252.07 (1t) of the statutes is created to read:

5 252.07 **(1t)** Any laboratory that identifies mycobacterium tuberculosis shall
6 ensure that antimicrobial drug susceptibility tests are performed on the initial
7 isolate. The laboratory shall report the results of these tests to the local health officer
8 and the department.

9 **SECTION 2400rj.** 252.07 (2) of the statutes is amended to read:

10 252.07 **(2)** The department shall identify groups at risk for contracting or
11 transmitting mycobacterium tuberculosis and shall recommend the protocol for
12 screening members of those groups. ~~If necessary to prevent or control the~~
13 ~~transmission of mycobacterium tuberculosis, the department may promulgate rules~~
14 ~~that require screening of members of specific groups that are at risk for contracting~~
15 ~~or transmitting mycobacterium tuberculosis.~~

16 **SECTION 2400rk.** 252.07 (4) of the statutes is repealed.

17 **SECTION 2400rL.** 252.07 (5) of the statutes is amended to read:

18 252.07 **(5)** Upon report of any person under sub. ~~(1) (1m) or (1t)~~, the local health
19 officer shall at once investigate and make and enforce the necessary orders. If any
20 person does not voluntarily comply with any order made by the local health officer
21 with respect to that person, the local health officer or the department may order a
22 medical evaluation, directly observed therapy or home isolation of that person.

23 **SECTION 2400rm.** 252.07 (7) of the statutes is repealed.

24 **SECTION 2400rn.** 252.07 (8) of the statutes is created to read:

1 252.07 **(8)** (a) The department or a local health officer may order the
2 confinement to a facility of an individual who has a confirmed diagnosis of infectious
3 tuberculosis or suspect tuberculosis if all of the following conditions are met:

4 1. The department or local health officer notifies a court in writing of the
5 confinement.

6 2. The department or local health officer provides to the court a written
7 statement from a physician that the individual has infectious tuberculosis or suspect
8 tuberculosis.

9 3. The department or local health officer provides to the court evidence that the
10 individual has refused to follow a prescribed treatment regimen or, in the case of an
11 individual with suspect tuberculosis, has refused to undergo a medical examination
12 to confirm whether the individual has infectious tuberculosis.

13 4. In the case of an individual with a confirmed diagnosis of infectious
14 tuberculosis, the department or local health officer determines that the individual
15 poses an imminent and substantial threat to himself or herself or to the public
16 health. The department or local health officer shall provide to the court a written
17 statement of that determination.

18 (b) If the department or local health officer orders the confinement of an
19 individual under this subsection, a law enforcement officer, or other person
20 authorized by the local public health officer, shall transport the individual, if
21 necessary, to a facility that the department or local health officer determines will
22 meet the individual's need for medical evaluation, isolation and treatment.

23 (c) No individual may be confined under this subsection for more than 72 hours,
24 excluding Saturdays, Sundays and legal holidays, without a court hearing under
25 sub. (9) to determine whether the confinement should continue.

1 **SECTION 2400ro.** 252.07 (9) of the statutes is created to read:

2 252.07 (9) (a) The department or a local health officer may petition any court
3 for a hearing to determine whether an individual with infectious or suspect
4 tuberculosis should be confined for longer than 72 hours in a facility where proper
5 care and treatment will be provided and spread of the disease will be prevented. The
6 department or local health officer shall include in the petition documentation that
7 demonstrates all of the following:

8 1. That the individual named in the petition has infectious tuberculosis; that
9 the individual has noninfectious tuberculosis but is at high risk of developing
10 infectious tuberculosis; or that the individual has suspect tuberculosis.

11 2. That the individual has failed to comply with the prescribed treatment
12 regimen or with any rules promulgated by the department under sub. (11); or that
13 the disease is resistant to the medication prescribed to the individual.

14 3. That all other reasonable means of achieving voluntary compliance with
15 treatment have been exhausted and no less restrictive alternative exists; or that no
16 other medication to treat the resistant disease is available.

17 4. That the individual poses an imminent and substantial threat to himself or
18 herself or to the public health.

19 (b) The department or local health officer shall give the individual written
20 notice of a hearing at least 48 hours before a scheduled hearing is to be held. Notice
21 of the hearing shall include all of the following information:

22 1. The date, time and place of the hearing.

23 2. The grounds, and underlying facts, upon which confinement of the individual
24 is being sought.

25 3. An explanation of the individual's rights specified under par. (d).

1 4. The proposed actions to be taken and the reasons for each action.

2 (c) If the court orders confinement of an individual under this subsection, the
3 individual shall remain confined until the department or local health officer, with the
4 concurrence of a treating physician, determines that treatment is complete or that
5 the individual is no longer a substantial threat to himself or herself or to the public
6 health. If the individual is to be confined for more than 6 months, the court shall
7 review the confinement every 6 months.

8 (d) An individual who is the subject of a petition for a hearing under this
9 subsection has the right to appear at the hearing, the right to present evidence and
10 cross-examine witnesses and the right to be represented by adversary counsel. At
11 the time of the filing of the petition the court shall assure that the individual who is
12 the subject of the petition is represented by adversary counsel. If the individual
13 claims or appears to be indigent, the court shall refer the individual to the authority
14 for indigency determinations specified under s. 977.07 (1). If the individual is a child,
15 the court shall refer that child to the state public defender who shall appoint counsel
16 for the child without a determination of indigency, as provided in s. 48.23 (4). Unless
17 good cause is shown, a hearing under this subsection may be conducted by telephone
18 or live audiovisual means, if available.

19 (e) An order issued by the court under this subsection may be appealed as a
20 matter of right. An appeal shall be heard within 30 days after the appeal is filed.
21 An appeal does not stay the order.

22 **SECTION 2400rp.** 252.07 (11) of the statutes is created to read:

23 252.07 (11) The department may promulgate any rules necessary for the
24 administration and enforcement of this section, including, if necessary to prevent or
25 control the transmission of mycobacterium tuberculosis, rules that require screening

1 of members of specific groups that are at risk for contracting or transmitting
2 mycobacterium tuberculosis.

3 **SECTION 2400rq.** 252.073 of the statutes is repealed.

4 **SECTION 2400rr.** 252.076 of the statutes is repealed.

5 **SECTION 2400rs.** 252.08 (1) of the statutes is repealed.

6 **SECTION 2400rt.** 252.08 (2) of the statutes is repealed.

7 **SECTION 2400ru.** 252.08 (3) of the statutes is renumbered 252.07 (10) and
8 amended to read:

9 252.07 (10) Inpatient care for isolated pulmonary tuberculosis patients, and
10 inpatient care exceeding 30 days for other pulmonary tuberculosis patients, who are
11 not eligible for federal medicare benefits, for medical assistance under subch. V IV
12 of ch. 49 or for health care services funded by a relief block grant under subch. II of
13 ch. 49 may be reimbursed if provided by a facility contracted by the department. If
14 the patient has private health insurance, the state shall pay the difference between
15 health insurance payments and total charges.

16 **SECTION 2400rv.** 252.08 (4) of the statutes is repealed.

17 **SECTION 2400rw.** 252.08 (5) of the statutes is repealed.

18 **SECTION 2400rx.** 252.08 (6) of the statutes is repealed.

19 **SECTION 2400ry.** 252.09 of the statutes is repealed.

20 **SECTION 2421.** 252.10 (1) of the statutes is amended to read:

21 ~~252.10 (1) Counties with populations of more than 25,000 may establish and~~
22 ~~maintain public health dispensaries and, where necessary, branches of the~~
23 ~~dispensaries~~ A local health department may request from the department
24 certification to establish and maintain a public health dispensary for the diagnosis
25 and treatment of persons suffering from or suspected of having mycobacterium

1 tuberculosis ~~or other pulmonary diseases.~~ Two or more counties local health
2 departments may jointly establish, operate and maintain public health dispensaries
3 ~~in order to serve a total population of not less than 25,000. Counties.~~ The department
4 shall certify a local health department to establish and maintain a public health
5 dispensary if the local health department meets the standards established by the
6 department by rule. The department of health and family services may withhold,
7 suspend or revoke a certification if the local health department fails to comply with
8 any rules promulgated by the department. The department shall provide the local
9 health department with reasonable notice of the decision to withhold, suspend or
10 revoke certification. The department shall offer the local health department an
11 opportunity to comply with the rules and an opportunity for a fair hearing. Certified
12 local health departments may contract with each other for public health dispensary
13 services. ~~The department and department of revenue shall be notified of the~~
14 ~~establishment of public health dispensaries and any contracts pertaining to the~~
15 ~~dispensaries. If the provider of those services fails to comply, the department may~~
16 suspend or revoke the local health department's certification. The department may
17 establish, operate and maintain public health dispensaries and branches in areas of
18 the state where local authorities have not provided public health dispensaries.

19 **SECTION 2422.** 252.10 (3) of the statutes is repealed.

20 **SECTION 2423.** 252.10 (5) of the statutes is repealed.

21 **SECTION 2424.** 252.10 (6) (a) of the statutes is amended to read:

22 252.10 **(6)** (a) The state shall credit or reimburse each dispensary on an annual
23 or quarterly basis for the operation of public health dispensaries established and
24 maintained in accordance with this section and rules promulgated by the
25 department.

1 **SECTION 2425.** 252.10 (6) (b) of the statutes is amended to read:

2 252.10 **(6)** (b) The state department shall determine by rule the reimbursement
3 for each visit rate under par. (a) for services as ordered by a physician shall be \$6 or
4 a greater amount prescribed in rules promulgated by the department. If an X-ray
5 is taken, an additional \$6 or any greater amount prescribed in rules promulgated by
6 the department will be credited. Any X-ray taken outside a facility under this
7 section or outside a facility approved under s. 252.08 on individuals who have a
8 significant reaction to a test for mycobacterium tuberculosis shall qualify for state
9 aid in the same manner as an X-ray taken inside a facility, and the X-ray shall take
10 the place of the first X-ray eligible for reimbursement as part of a case finding and
11 preventive program under par. (e). The administration and reading of the test for
12 mycobacterium tuberculosis for diagnostic purposes shall be considered one visit.
13 Tests for mycobacterium tuberculosis given in school programs, employment health
14 programs, community preventive and case finding programs are not reimbursable
15 as a clinic visit.

16 **SECTION 2426.** 252.10 (6) (c) of the statutes is repealed.

17 **SECTION 2427.** 252.10 (6) (d) of the statutes is repealed.

18 **SECTION 2428.** 252.10 (6) (e) of the statutes is repealed.

19 **SECTION 2429.** 252.10 (6) (f) of the statutes is repealed.

20 **SECTION 2430.** 252.10 (6) (g) of the statutes is amended to read:

21 252.10 **(6)** (g) The reimbursement by the state under pars. (a) to (f) and (b) shall
22 apply only to funds that the department allocates for the reimbursement under the
23 appropriation under s. 20.435 (5) (e).

24 **SECTION 2430L.** 252.10 (7) of the statutes, as affected by 1997 Wisconsin Act
25 156, is amended to read:

1 252.10 (7) Drugs necessary for the treatment of mycobacterium tuberculosis
2 shall be purchased by the department from the appropriation under s. 20.435 (5) (e)
3 and dispensed to patients through the public health dispensaries ~~or through health~~
4 ~~care providers, as defined in s. 146.81 (1), other than massage therapists or~~
5 ~~bodyworkers issued a license of registration under subch. X of ch. 440, social workers,~~
6 ~~marriage and family therapists or professional counselors certified under ch. 457,~~
7 ~~speech-language pathologists or audiologists licensed under subch. II of ch. 459,~~
8 ~~speech and language pathologists licensed by the department of public instruction~~
9 ~~or dietitians certified under subch. V of ch. 448, local health departments, physicians~~
10 ~~or advanced practice nurse prescribers.~~

11 **SECTION 2432.** 252.10 (9) of the statutes is amended to read:

12 252.10 (9) Public health dispensaries shall maintain such records as are
13 required by the department to enable them to carry out their responsibilities
14 designated in this section and in rules promulgated by the department. Records
15 shall be submitted annually to the department as soon as possible after the close of
16 each fiscal year and not later than August 15 following may be audited by the
17 department.

18 **SECTION 2432g.** 252.12 (2) (a) 8. of the statutes is amended to read:

19 252.12 (2) (a) 8. 'Life care and early intervention services.' The department
20 shall award not more than \$1,894,900 \$1,994,900 in each year in grants to applying
21 organizations for the provision of needs assessments; assistance in procuring
22 financial, medical, legal, social and pastoral services; counseling and therapy;
23 homecare services and supplies; advocacy; and case management services. These
24 services shall include early intervention services. The department shall also award
25 not more than \$74,000 in each year from the appropriation under s. 20.435 (7) (md)

1 for the services under this subdivision. The state share of payment for case
2 management services that are provided under s. 49.45 (25) (be) to recipients of
3 medical assistance shall be paid from the appropriation under s. 20.435 (5) (am).

4 **SECTION 2432h.** 252.12 (2) (c) of the statutes is renumbered 252.12 (2) (c) 1.

5 **SECTION 2432i.** 252.12 (2) (c) 2. of the statutes is created to read:

6 252.12 (2) (c) 2. From the appropriation under s. 20.435 (5) (am), the
7 department shall award \$75,000 in each fiscal year as grants for services to prevent
8 HIV. Criteria for award of the grants shall include the criteria specified under subd.

9 1. The department shall award 60% of the funding to applying organizations that
10 receive funding under par. (a) 8. and 40% of the funding to applying
11 community-based organizations that are operated by minority group members, as
12 defined in s. 560.036 (1) (f).

13 **SECTION 2432j.** 252.12 (2) (c) 3. of the statutes is created to read:

14 252.12 (2) (c) 3. From the appropriation under s. 20.435 (5) (am), the
15 department shall award to the African American AIDS task force of the Black Health
16 Coalition of Wisconsin, Inc., \$25,000 in each fiscal year as grants for services to
17 prevent HIV.

18 **SECTION 2432r.** 252.14 (1) (ar) 4q. of the statutes is created to read:

19 252.14 (1) (ar) 4q. An athletic trainer licensed under subch. VI of ch. 448.

20 **SECTION 2432sjk.** 252.14 (1) (d) of the statutes is amended to read:

21 252.14 (1) (d) “Inpatient health care facility” means a hospital, nursing home,
22 community-based residential facility, county home, county mental health complex,
23 tuberculosis sanatorium or other place licensed or approved by the department
24 under ss. s. 49.70, 49.71, 49.72, 50.02, 50.03, 50.35, 51.08, or 51.09, ~~58.06, 252.073~~

1 ~~and 252.076~~ or a facility under s. 45.365, 48.62, 51.05, 51.06, 233.40, 233.41, 233.42
2 or 252.10.

3 **SECTION 2433d.** 252.15 (1) (ab) of the statutes is amended to read:

4 252.15 (1) (ab) “Affected person” means an emergency medical technician, first
5 responder, fire fighter, peace officer, correctional officer, person who is employed at
6 a secured correctional facility, as defined in s. 938.02 (15m), ~~or at a secured child~~
7 caring institution, as defined in s. 938.02 (15g), or a secured group home, as defined
8 in s. 938.02 (15p), state patrol officer, jailer or keeper of a jail or person designated
9 with custodial authority by the jailer or keeper, health care provider, employe of a
10 health care provider or staff member of a state crime laboratory.

11 **SECTION 2433dm.** 252.15 (2) (a) 7. a. of the statutes is amended to read:

12 252.15 (2) (a) 7. a. If all of the conditions under subd. 7. ai. to c. are met, an
13 emergency medical technician, first responder, fire fighter, peace officer, correctional
14 officer, person who is employed at a secured correctional facility, as defined in s.
15 938.02 (15m), ~~or at a secured child caring institution, as defined in s. 938.02 (15g),~~
16 or a secured group home, as defined in s. 938.02 (15p), state patrol officer, jailer or
17 keeper of a jail or person designated with custodial authority by the jailer or keeper
18 who, during the course of providing care or services to an individual; or a peace
19 officer, correctional officer, state patrol officer, jailer or keeper of a jail or person
20 designated with custodial authority by the jailer or keeper who, while searching or
21 arresting an individual or while controlling or transferring an individual in custody;
22 or a health care provider or an employe of a health care provider who, during the
23 course of providing care or treatment to an individual or handling or processing
24 specimens of body fluids or tissues of an individual; or a staff member of a state crime
25 laboratory who, during the course of handling or processing specimens of body fluids

1 or tissues of an individual; is significantly exposed to the individual may subject the
2 individual's blood to a test or a series of tests for the presence of HIV, antigen or
3 nonantigenic products of HIV or an antibody to HIV and may receive disclosure of
4 the results.

5 **SECTION 2433j.** 252.241 (1) of the statutes is amended to read:

6 252.241 (1) The Except as provided in sub. (1m), the department shall require
7 each applicant to provide the department with the applicant's social security
8 number, if the applicant is an individual, or the applicant's federal employer
9 identification number, if the applicant is not an individual, as a condition of issuing
10 or renewing a license under s. 252.23 (2) or (4) (a) or 252.24 (2) or (4) (a).

11 **SECTION 2433k.** 252.241 (1m) of the statutes is created to read:

12 252.241 (1m) If an individual who applies for or to renew a license under sub.
13 (1) does not have a social security number, the individual, as a condition of obtaining
14 the license, shall submit a statement made or subscribed under oath or affirmation
15 to the department that the applicant does not have a social security number. The
16 form of the statement shall be prescribed by the department of workforce
17 development. A license issued or renewed in reliance upon a false statement
18 submitted under this subsection is invalid.

19 **SECTION 2433L.** 252.241 (3) of the statutes is amended to read:

20 252.241 (3) The Except as provided in sub. (1m), the department shall deny an
21 application for the issuance or renewal of a license specified in sub. (1) if the applicant
22 does not provide the information specified in sub. (1).

23 **SECTION 2435q.** 253.06 (9) of the statutes is created to read:

24 253.06 (9) COUNCIL. (a) In this subsection, "council" means the supplemental
25 food program for women, infants and children council under s. 15.197 (26).

1 (b) The council shall do all of the following:

2 1. Review all of the state statutes, administrative rules and department
3 policies regarding the program under this section.

4 2. Propose statutory, rule or policy changes that would limit the occurrences of
5 vender suspensions and terminations under sub. (5) (b) 2.

6 3. Propose statutory and rule changes necessary to ensure compliance with
7 federal law.

8 4. Study the feasibility of distributing drafts to participants via the electronic
9 benefit transfer system established under s. 49.129 and advise the department and
10 the legislature regarding any policies necessary to ensure that no additional costs be
11 incurred by vendors under the electronic benefit transfer system.

12 5. Submit a report to the secretary and to the legislature in the manner
13 described under s. 13.172 (2) that details the council's recommendations for
14 increasing the number of vendors participating in the program under this section.

15 (c) This subsection does not apply beginning on January 1, 2002.

16 **SECTION 2439.** 253.10 (3) (d) 1. of the statutes is amended to read:

17 253.10 (3) (d) 1. Geographically indexed materials that are designed to inform
18 a woman about public and private agencies, including adoption agencies, and
19 services that are available to provide information on family planning, as defined in
20 s. 253.07 (1) (a), including natural family planning information, to provide
21 ultrasound imaging services, to assist her if she has received a diagnosis that her
22 unborn child has a disability or if her pregnancy is the result of sexual assault or
23 incest and to assist her through pregnancy, upon childbirth and while the child is
24 dependent. The materials shall include a comprehensive list of the agencies
25 available, a description of the services that they offer and a description of the manner

1 in which they may be contacted, including telephone numbers and addresses, or, at
2 the option of the department, the materials shall include a toll-free, 24-hour
3 telephone number that may be called to obtain an oral listing of available agencies
4 and services in the locality of the caller and a description of the services that the
5 agencies offer and the manner in which they may be contacted. The materials shall
6 provide information on the availability of governmentally funded programs that
7 serve pregnant women and children. Services identified for the woman shall include
8 ~~aid to families with dependent children under s. 49.19,~~ medical assistance for
9 pregnant women and children under s. 49.47 (4) (am), ~~the job opportunities and basic~~
10 ~~skills program under s. 49.193,~~ the availability of family or medical leave under s.
11 103.10, the Wisconsin works program under ss. 49.141 to 49.161, child care services,
12 child support laws and programs and the credit for expenses for household and
13 dependent care and services necessary for gainful employment under section 21 of
14 the internal revenue code. The materials shall state that it is unlawful to perform
15 an abortion for which consent has been coerced, that any physician who performs or
16 induces an abortion without obtaining the woman's voluntary and informed consent
17 is liable to her for damages in a civil action and is subject to a civil penalty, that the
18 father of a child is liable for assistance in the support of the child, even in instances
19 in which the father has offered to pay for an abortion, and that adoptive parents may
20 pay the costs of prenatal care, childbirth and neonatal care. The materials shall
21 include information, for a woman whose pregnancy is the result of sexual assault or
22 incest, on legal protections available to the woman and her child if she wishes to
23 oppose establishment of paternity or to terminate the father's parental rights. The
24 materials shall state that fetal ultrasound imaging and auscultation of fetal heart

1 tone services are obtainable by pregnant women who wish to use them and shall
2 describe the services.

3 **SECTION 2439r.** 253.115 of the statutes is created to read:

4 **253.115 Newborn hearing screening programs. (1)** In this section:

5 (a) “Hearing loss” means an inability in one or both ears to detect sounds at 30
6 decibels hearing level or greater in the frequency region of 500 to 4,000 hertz, which
7 affects speech recognition and auditory comprehension.

8 (b) “Hertz” means a unit of frequency equal to one cycle per second.

9 (c) “Hospital” has the meaning given in s. 50.33 (2).

10 (d) “Infant” means a child from birth to 3 months of age.

11 (e) “Newborn hearing screening program” means a system of a hospital under
12 which an infant may be tested, using currently available medical techniques, to
13 determine if the infant has a hearing loss.

14 **(2)** Beginning July 1, 2002, the department shall annually collect information
15 from hospitals for the previous calendar year concerning the numbers of deliveries
16 in each hospital and the availability in each hospital of a newborn hearing screening
17 program. From this information, by July 31, 2003, and annually thereafter, the
18 department shall determine the percentage of deliveries in this state that are
19 performed in hospitals that have newborn hearing screening programs and shall
20 report this information to the appropriate standing committees of the legislature
21 under s. 13.172 (3).

22 **(3)** If, by August 5, 2003, the department determines that fewer than 88% of
23 all deliveries in this state are performed in hospitals that have a newborn hearing
24 screening program and so notifies the hospitals, every hospital shall, by January 1,

1 2004, have a newborn hearing screening program that is available to all infants who
2 are delivered in the hospital.

3 **(4)** From the appropriation under section 20.435 (5) (jk), the department shall
4 award up to \$333,000 in each fiscal year as grants to applying hospitals to fund the
5 costs of establishing newborn hearing screening programs, as follows:

6 (a) For the period from January 1, 2000, to June 30, 2001, the department
7 shall award moneys under this subsection only for payment of costs of capital
8 equipment.

9 (b) For the period from July 1, 2001, to December 31, 2002, the department
10 shall award moneys under this subsection for payment of training or any other initial
11 costs of establishing a newborn hearing screening program.

12 **SECTION 2439s.** 253.115 (4) of the statutes, as created by 1999 Wisconsin Act
13 (this act), is repealed.

14 **SECTION 2440g.** 254.115 (1) (intro.) of the statutes is amended to read:

15 254.115 **(1)** (intro.) The Except as provided in sub. (1m), the department shall
16 require each applicant to provide the department with the applicant's social security
17 number, if the applicant is an individual, or the applicant's federal employer
18 identification number, if the applicant is not an individual, as a condition of issuing
19 or renewing any of the following:

20 **SECTION 2440h.** 254.115 (1m) of the statutes is created to read:

21 254.115 **(1m)** If an individual who applies for or to renew a certification,
22 certification card or permit under sub. (1) does not have a social security number, the
23 individual, as a condition of obtaining the certification, certification card or permit,
24 shall submit a statement made or subscribed under oath or affirmation to the
25 department that the applicant does not have a social security number. The form of

1 the statement shall be prescribed by the department of workforce development. A
2 certification, certification card or permit issued or renewed in reliance upon a false
3 statement submitted under this subsection is invalid.

4 **SECTION 2440i.** 254.115 (3) of the statutes is amended to read:

5 254.115 (3) The Except as provided in sub. (1m), the department shall deny an
6 application for the issuance or renewal of a certification, certification card or permit
7 specified in sub. (1) if the applicant does not provide the information specified in sub.
8 (1).

9 **SECTION 2441.** 254.31 (1) (b) of the statutes is created to read:

10 254.31 (1) (b) The tailings or waste produced by the extraction or concentration
11 of uranium or thorium from any ore processed primarily for its source material
12 content.

13 **SECTION 2442.** 254.31 (2) of the statutes is created to read:

14 254.31 (2) “Decommissioning” means conducting final operational activities at
15 a nuclear facility to dismantle site structures, to decontaminate site surfaces and
16 remaining structures, to stabilize and contain residual radioactive material and to
17 carry out any other activities necessary to prepare the site for postoperational care.

18 **SECTION 2443.** 254.31 (2m) of the statutes is created to read:

19 254.31 (2m) “General license” means a license, under requirements prescribed
20 by the department by rule, to possess, use, transfer or acquire by-product material
21 or devices or equipment utilizing by-product material without the filing of a license
22 application by a person or issuance of licensing confirmation by the department.

23 **SECTION 2444.** 254.31 (3) of the statutes is renumbered 254.31 (1) (intro.) and
24 amended to read:

1 254.31 (1) (intro.) “By-product material” means any radioactive of the
2 following:

3 (a) Radioactive material (except special nuclear material), yielded in or made
4 radioactive by exposure to the radiation incident to the process of producing or
5 utilizing special nuclear material.

6 **SECTION 2445.** 254.31 (3g) of the statutes is repealed and recreated to read:

7 254.31 (3g) “Ionizing radiation” means all radiations capable of producing ions
8 directly or indirectly in their passage through matter, including all of the following:

9 (a) Electromagnetic radiations, including X-rays and gamma rays.

10 (b) Particulate radiations, including electrons, beta particles, protons,
11 neutrons, alpha particles and other nuclear particles.

12 **SECTION 2446.** 254.31 (5) of the statutes is created to read:

13 254.31 (5) “Radiation generating equipment” means a system, manufactured
14 product or device or component part of such a product or device that, during
15 operation, is capable of generating or emitting ionizing radiation without the use of
16 radioactive material. “Radiation generating equipment” does not include a device
17 that emits nonionizing radiation.

18 **SECTION 2447.** 254.31 (6) of the statutes is amended to read:

19 254.31 (6) “Radiation installation” is any location or facility where radiation
20 ~~machines are~~ generating equipment is used or where radioactive material is
21 produced, transported, stored, disposed of or used for any purpose.

22 **SECTION 2448.** 254.31 (7) of the statutes is repealed.

23 **SECTION 2449.** 254.31 (8) of the statutes is renumbered 254.31 (9m) and
24 amended to read:

1 254.31 (9m) “Radioactive material” includes any solid, liquid or gaseous
2 substance which emits ionizing radiation spontaneously, including
3 accelerator-produced material, by-product material, naturally occurring material,
4 source material and special nuclear material.

5 **SECTION 2450.** 254.31 (9) of the statutes is amended to read:

6 254.31 (9) “Radiation source” means a radiation ~~machine~~ generating
7 equipment or radioactive material ~~as defined herein.~~

8 **SECTION 2451.** 254.31 (11g) of the statutes is created to read:

9 254.31 (11g) “Specific license” means a license, under requirements prescribed
10 by the department by rule, to possess, use, manufacture, produce, transfer or acquire
11 radioactive material or devices or equipment utilizing radioactive material.

12 **SECTION 2452.** 254.31 (11m) of the statutes is created to read:

13 254.31 (11m) “Transuranic” means a radioactive material having an atomic
14 number that is greater than 92.

15 **SECTION 2453.** 254.31 (12) of the statutes is amended to read:

16 254.31 (12) “X-ray tube” means any electron tube ~~which~~ that is contained in
17 a device and that is specifically designed for the conversion of electrical energy into
18 X-ray energy.

19 **SECTION 2454.** 254.33 of the statutes is amended to read:

20 **254.33 Public policy.** Since radiations and their sources can be instrumental
21 in the improvement of the health and welfare of the public if properly utilized, and
22 may be destructive or detrimental to life or health if carelessly or excessively
23 employed or may detrimentally affect the environment of the state if improperly
24 utilized, it is hereby declared to be the public policy of this state to encourage the
25 constructive uses of radiation and to prohibit and prevent exposure to radiation in

1 amounts which are or may be detrimental to health. It is further the policy for the
2 department to advise, consult and cooperate with ~~the department of commerce and~~
3 other agencies of the state, the federal government, other states and interstate
4 agencies and with affected groups, political subdivisions and industries; and, in
5 general, to conform as nearly as possible to nationally accepted standards in the
6 promulgation and enforcement of rules.

7 **SECTION 2455.** 254.335 of the statutes is created to read:

8 **254.335 Agreements with the U.S. nuclear regulatory commission**
9 **transition. (1)** The governor may, on behalf of the state, enter into agreements with
10 the U.S. nuclear regulatory commission, as provided in 42 USC 2021 (b), to
11 discontinue certain federal licensing and related regulatory authority with respect
12 to by-product material, source material and special nuclear material and to assume
13 state regulatory authority.

14 **(2)** Any person who, on the effective date of an agreement specified under sub.
15 (1), possesses a license issued by the U.S. nuclear regulatory commission that is
16 subject to the agreement is considered to possess a specific license issued under s.
17 254.365 (1) (a) or to fulfill requirements specified for a general license under s.
18 254.365 (1) (b). The specific license expires 90 days after the date of receipt by the
19 person from the department of a notice of expiration of the license or on the date of
20 expiration that was specified in the license issued by the U.S. nuclear regulatory
21 commission, whichever is earlier.

22 **SECTION 2456.** 254.34 (1) (intro.) of the statutes is amended to read:

23 254.34 **(1)** (intro.) The department ~~and the department of commerce~~ is the state
24 radiation control agency and shall do all of the following:

25 **SECTION 2457.** 254.34 (1) (a) of the statutes is amended to read:

1 254.34 (1) (a) ~~Formulate, adopt and enforce, amend and repeal~~ Promulgate and
2 enforce rules, including registration and licensing of sources of ionizing radiation, as
3 may be necessary to prohibit and prevent unnecessary radiation. ~~Such exposure.~~
4 The rules may incorporate by reference the recommended standards of nationally
5 recognized bodies in the field of radiation protection and other fields of atomic energy,
6 under the procedure established by s. 227.21 (2). The rules for by-product material,
7 source material and special nuclear material may be no less stringent than the
8 requirements under 42 USC 2011 to 2114 and regulations adopted under 42 USC
9 2011 to 2114.

10 **SECTION 2458.** 254.34 (1) (c) of the statutes is renumbered 254.34 (1) (c) (intro.)
11 and amended to read:

12 254.34 (1) (c) (intro.) Develop comprehensive policies and programs for the
13 evaluation ~~and~~ determination and reduction of hazards associated with the use of
14 radiation, ~~and for their amelioration.~~ that are compatible with requirements of the
15 U.S. nuclear regulatory commission for the regulation of by-product material,
16 source material and special nuclear material. The department shall maintain all of
17 the following records:

18 **SECTION 2459.** 254.34 (1) (c) 1. of the statutes is created to read:

19 254.34 (1) (c) 1. Files of all license applications, issuances, denials, transfers,
20 renewals, modifications, suspensions and revocations under s. 254.365.

21 **SECTION 2460.** 254.34 (1) (c) 2. of the statutes is created to read:

22 254.34 (1) (c) 2. Files of all registrants under s. 254.35 and any related
23 administrative or judicial action.

24 **SECTION 2461.** 254.34 (2) (intro.) of the statutes is amended to read:

1 254.34 (2) (intro.) The department, ~~-serving as the lead agency, and the~~
2 ~~department of commerce~~ may:

3 **SECTION 2462.** 254.34 (4) of the statutes is renumbered 254.34 (1) (h) 5. and
4 amended to read:

5 254.34 (1) (h) 5. ~~The department shall develop~~ Develop standards of
6 performance for the regional radon centers and, from the appropriation under s.
7 20.435 (5) (ed), ~~the department shall~~ allocate funds based on compliance with the
8 standards to provide radon protection information dissemination from the regional
9 radon centers.

10 **SECTION 2463.** 254.345 of the statutes is created to read:

11 **254.345 Assessment of Fee. (1)** The department may annually assess a fee
12 of 36% of the U.S. nuclear regulatory commission license application fee and
13 materials license annual fee, for any licensee of the U.S. nuclear regulatory
14 commission in this state. The fee amounts shall be used by the department for the
15 department's activities under this subchapter. The department may revise the fee
16 amounts by rule.

17 **(2)** This section does not apply after December 31, 2002.

18 **SECTION 2464.** 254.35 (1) of the statutes is amended to read:

19 254.35 (1) APPLICATION. ~~Every~~ For every site in this state ~~having~~ that has an
20 ionizing radiation installation, ~~that is~~ not exempted by this section or the rules of the
21 department shall be registered by the department by January 1, 1964, ~~by,~~ the person
22 in control of an the installation, including installations in sites that are administered
23 by a state agency or in an institution under the jurisdiction of a state agency, ~~and no~~
24 such shall, prior to operation, register the ionizing radiation installation with the
25 department. ~~No~~ ionizing radiation installation may be operated thereafter unless

1 the site has been duly registered by January 1 of each year and a notice of the
2 registration is possessed by the person in control. ~~Every site having an ionizing~~
3 ~~radiation installation established in this state after July 20, 1985, shall be~~
4 ~~registered prior to its operation.~~ The application for registration shall be made on
5 forms provided by the department which shall be devised to obtain any information
6 that is considered necessary for evaluation of hazards. Multiple radiation sources
7 at a single radiation installation and under the control of one person shall be listed
8 on a single registration form. Registration fees shall be levied in accordance with
9 sub. (3). Registration alone ~~shall~~ does not imply approval of manufacture, storage,
10 use, handling, operation or disposal of the radiation installation or radioactive
11 materials, but ~~shall serve~~ serves merely to inform the department of the location and
12 character of radiation sources. ~~The department shall furnish the department of~~
13 ~~commerce with a copy of each amended and new registration.~~ Persons engaged in
14 manufacturing, demonstration, sale, testing or repair of radiation sources ~~shall not~~
15 ~~be~~ are not required to list such sources on the registration form.

16 **SECTION 2465.** 254.35 (2) of the statutes is amended to read:

17 254.35 (2) AMENDED REGISTRATION. If the person in control increases the
18 number of sources, source strength, rated output or energy of radiation produced in
19 any installation, he or she shall notify the department of the increase prior to
20 operation on the revised basis. The department shall record the change in the
21 registration. No registration is transferable from one premises to another or from
22 one person to another. If the person in control ~~transfers~~ intends to transfer control
23 of ownership of the radiation installation to another person ~~the registration also~~
24 ~~transfers to the other person, who, at least 15 days before the final transfer the~~
25 registrant shall notify the department of the transfer ~~within 15 days.~~ The

1 ~~department shall record the change in the~~ and the intended transferee shall file
2 under sub. (1) an application for registration. If any installation is discontinued, the
3 person in control shall notify the department within 30 days of the discontinuance.

4 **SECTION 2466.** 254.35 (3) (title) of the statutes is amended to read:

5 254.35 (3) (title) ~~FEES~~ REGISTRATION FEES.

6 **SECTION 2467.** 254.35 (3) (a) of the statutes is amended to read:

7 254.35 (3) (a) An annual registration fee under pars. (b) to (f) (~~fm~~) shall be
8 levied for each site registration under this section. An additional penalty fee of \$10
9 \$25, regardless of the number of X-ray tubes or generally licensed devices, shall be
10 required for each registration whenever the annual fee for renewal is not paid prior
11 to expiration of the registration. No additional fee may be required for recording
12 changes in the registration information.

13 **SECTION 2468.** 254.35 (3) (b) of the statutes is amended to read:

14 254.35 (3) (b) For a ~~medical~~ site having an ionizing radiation installation
15 serving physicians and clinics, osteopaths and clinics, and chiropractors or hospitals
16 that possesses radioactive materials in any quantity, the fee shall be at least \$25 \$36
17 for each site and at least \$30 \$44 for each X-ray tube.

18 **SECTION 2469.** 254.35 (3) (c) of the statutes is amended to read:

19 254.35 (3) (c) For a ~~chiropractic~~, podiatric or veterinary site having an ionizing
20 radiation installation, the fee shall be at least \$25 \$36 for each site and at least \$30
21 \$44 for each X-ray tube.

22 **SECTION 2470.** 254.35 (3) (d) of the statutes is amended to read:

23 254.35 (3) (d) For a dental site having an ionizing radiation installation, the
24 fee shall be at least \$25 \$36 for each site and at least \$20 \$30 for each X-ray tube.

25 **SECTION 2471.** 254.35 (3) (f) of the statutes is amended to read:

1 254.35 (3) (f) For an industrial, school, research project or other site having an
2 ionizing radiation installation ~~and radioactive materials in any quantity~~, the fee
3 shall be at least \$25 \$36 for each site and at least \$30 \$44 for each X-ray tube.

4 **SECTION 2472.** 254.35 (3) (fm) of the statutes is created to read:

5 254.35 (3) (fm) For any site that has generally licensed devices that are not
6 exempted by the department, the fee shall be at least \$100 for each site and at least
7 \$50 for each device that contains at least 370 MBq or 10 mCi of cesium-137; 37 MBq
8 or 1.0 mCi of cobalt-60; 3.7 MBq or 0.1 mCi of strontium-90; or 37 MBq or 1.0 mCi
9 of a transuranic.

10 **SECTION 2473.** 254.35 (3) (g) of the statutes is amended to read:

11 254.35 (3) (g) The fees under this subsection shall be as stated unless the
12 department promulgates rules to increase the annual registration fee after
13 ~~January 1, 1986~~, for a site having an ionizing radiation installation ~~or~~, for an X-ray
14 tube or for generally licensed devices that are not exempted by the department.

15 **SECTION 2474.** 254.35 (4) of the statutes is amended to read:

16 254.35 (4) EXEMPTIONS. ~~The department shall~~ After initial registration under
17 sub. (1), the department may exempt from annual registration any source licensed
18 by the nuclear regulatory commission and may exempt from registration any source
19 of radiation installation which of radiation that the department finds to be without
20 undue radiation hazard as determined by standards established by the national
21 committee on radiation protection and measurements or any comparable nationally
22 recognized agency established for the purpose of recommending standards for
23 radiation protection, and after the initial registration may exempt from subsequent
24 annual radiation requirements any source of radiation devoted primarily to
25 industrial purposes.

1 **SECTION 2475.** 254.36 of the statutes is renumbered 254.34 (1) (am) and
2 amended to read:

3 254.34 (1) (am) ~~*Radiation protection.*~~ ~~The department shall promulgate a~~
4 ~~radiation protection code. Other departments and agencies of state government and~~
5 A rule identical to a rule specified under par. (a) may be promulgated by a state
6 agency other than the department and an ordinance identical to a rule specified
7 under par. (a) may be enacted by a local governmental unit ~~may adopt the identical~~
8 ~~code unit, but no other rule, code or ordinance relating to this subject may be~~
9 ~~promulgated or enacted~~ may be promulgated or ordinance may be enacted that
10 differs from a rule under par. (a) and relates to the same subject area except as
11 provided under ss. 166.03 (2) (b) 6., 293.15 (8) and 293.25.

12 **SECTION 2476.** 254.365 of the statutes is created to read:

13 **254.365 Licensing of radioactive material. (1)** LICENSE REQUIRED. No
14 person may possess, use, manufacture, transport, store, transfer or dispose of
15 radioactive material or a device or item of equipment that uses radioactive material
16 or may operate a site that uses radioactive material that is not under the authority
17 of the U.S. nuclear regulatory commission unless one of the following applies:

18 (a) The person has a specific license issued by the department.

19 (b) The person meets general license requirements.

20 (c) The person possesses a license issued by another state or by the U.S. nuclear
21 regulatory commission that is reciprocally recognized by the department.

22 (d) The person is exempted from licensure under sub. (7).

23 **(2)** APPLICATION. Application for a license under sub. (1) (a) or for reciprocal
24 recognition under sub. (1) (c) shall be made on forms provided by the department.

1 **(3) MODIFICATION OR TERMINATION OF LICENSE.** Within 30 days after any change
2 to the information on a license issued under this section, the licensee shall inform the
3 department of the change and the department shall record the changed information.
4 Within 30 days after termination of an activity licensed under this section, the person
5 in control of the activity shall notify the department. The department may require
6 that the person in control submit to the department for approval a plan for
7 decommissioning the activity.

8 **(4) RULES.** The department shall promulgate rules for all of the following:

9 (a) The issuance, modification, suspension, termination and revocation of
10 specific licenses under sub. (1) (a) under the standards specified in s. 254.34 (1) (a).

11 (b) The requirements for a general license under sub. (1) (b).

12 **(5) FEES AND CHARGES.** (a) The department may assess fees, the amounts of
13 which are prescribed by the department by rule, for any of the following:

14 1. Issuance of an initial or renewal specific license under sub. (1) (a).

15 2. Annual license maintenance.

16 3. Issuance of a license amendment.

17 4. Termination of a license.

18 5. Issuance of reciprocal recognition of a license for radioactive materials of
19 another state or the U.S. nuclear regulatory commission.

20 (b) The department may assess a late payment charge of 25% of the specific
21 license renewal fee, in addition to the fee under par. (a) for renewal of a specific
22 license, if payment for renewal of a specific license is not made within 30 days after
23 the license expiration date.

24 **(6) DENIAL, SUSPENSION OR REVOCATION OF LICENSURE.** The department may, after
25 a hearing under ch. 227, refuse to issue a license or suspend or revoke a license for

1 failure by the licensee to comply with this subchapter, rules promulgated by the
2 department under this subchapter or any condition of the license.

3 (7) EXEMPTION. The department may exempt from licensing requirements of
4 this section radioactive material that the department finds is without undue
5 radiation hazard.

6 **SECTION 2477.** 254.37 (1) of the statutes is renumbered 254.37 (1) (intro.) and
7 amended to read:

8 254.37 (1) NOTIFICATION OF VIOLATION AND ORDER OF ABATEMENT. (intro.)
9 Whenever the department ~~or the department of commerce~~ finds, upon inspection and
10 examination, that a source of radiation as constructed, operated or maintained
11 results in a violation of this subchapter or of any rules promulgated under this
12 subchapter, ~~it the department~~ shall notify do all of the following:

13 (a) Notify the person in control that is causing, allowing or permitting the
14 violation as to the nature of the violation ~~and order.~~

15 (b) Order that, prior to a specified time, the person in control shall cease and
16 abate causing, allowing or permitting the violation and take such action as may be
17 necessary to have the source of radiation constructed, operated, or maintained in
18 compliance with this subchapter and rules promulgated under this subchapter.

19 **SECTION 2478.** 254.37 (2) of the statutes is amended to read:

20 254.37 (2) ORDERS. The department ~~or the department of commerce~~ shall issue
21 and enforce such orders or modifications of previously issued orders as may be
22 required in connection with proceedings under this subchapter. The orders shall be
23 subject to review by the department upon petition of the persons affected. Whenever
24 the department ~~or the department of commerce~~ finds that a condition exists which
25 that constitutes an immediate threat to health due to violation of this subchapter or

1 any rule or order promulgated under this subchapter, it may issue an order reciting
2 the existence of the threat and the findings pertaining to the threat. The department
3 ~~or the department of commerce~~ may summarily cause the abatement of the violation.

4 **SECTION 2479.** 254.37 (3) of the statutes is amended to read:

5 254.37 (3) RULES. The department shall promulgate and enforce the rules
6 pertaining to ionizing radiation ~~in establishments principally engaged in furnishing~~
7 ~~medical, surgical, chiropractic and other health services to persons and animals.~~ The
8 department of commerce shall enforce the rules pertaining to ionizing radiation in
9 industrial establishments. ~~The department shall notify the department of commerce~~
10 ~~and deliver to it a copy of each new registration and at such time a decision shall be~~
11 ~~made as to which state agency shall enforce the rules pertaining to ionizing~~
12 radiation.

13 **SECTION 2480.** 254.37 (4) of the statutes is amended to read:

14 254.37 (4) ENFORCEMENT JURISDICTION. ~~All orders issued under this subchapter~~
15 ~~shall be enforced by the attorney general.~~ The circuit court of Dane county shall have
16 jurisdiction to enforce the orders by injunctive and other appropriate relief.

17 **SECTION 2481.** 254.38 (title) of the statutes is created to read:

18 **254.38 (title) Emergency authority.**

19 **SECTION 2482.** 254.38 of the statutes is renumbered 254.38 (1) and amended
20 to read:

21 254.38 (1) IMPOUNDING MATERIALS. ~~The department or department of commerce~~
22 may impound or order the sequestration of sources of radiation in the possession of
23 any person who is not equipped to observe or who fails to observe safety standards
24 to protect health that are established in rules promulgated by the department ~~or the~~
25 department of commerce.

1 **SECTION 2483.** 254.38 (2) of the statutes is created to read:

2 254.38 (2) EMERGENCY ORDERS. If the department finds that an emergency
3 exists concerning a matter subject to regulation under this subchapter that requires
4 immediate action to protect the public health or safety, the department may issue an
5 emergency order without notice or hearing that recites the existence of the
6 emergency and requires such action as is necessary to mitigate the emergency. Any
7 person to whom the order is issued shall immediately comply with the order. A
8 person to whom an emergency order is issued shall be afforded a hearing within 30
9 days after receipt by the department of a written request for the hearing. An
10 emergency order is effective upon issuance and remains in effect for up to 90 days
11 after issuance, except that the order may be revoked or modified based on the results
12 of the hearing.

13 **SECTION 2484.** 254.39 (2) of the statutes is amended to read:

14 254.39 (2) This subchapter does not apply to on-site activities of any nuclear
15 reactor plant licensed by the nuclear regulatory commission U.S. nuclear regulatory
16 commission.

17 **SECTION 2485.** 254.45 of the statutes is repealed and recreated to read:

18 **254.45 Penalties. (1) GENERAL.** (a) Any person who violates this subchapter
19 or a rule promulgated under this subchapter or a condition of a license or registration
20 issued by the department under this subchapter may be required to forfeit not less
21 than \$100 nor more than \$100,000. Each day of continued violation constitutes a
22 separate offense.

23 (b) The amount of the forfeiture assessed under par. (a) shall be determined by
24 considering all of the following:

25 1. The wilfulness of the violation.

1 2. The person's previous violations, if any, of this subchapter, rules
2 promulgated under this subchapter or conditions of a license or registration issued
3 by the department under this subchapter.

4 3. The potential danger or actual or potential injury to the environment or to
5 public health caused by the violation.

6 4. The actual or potential costs of the damage or injury caused by the violation.

7 **(2) ASSESSMENT OF FORFEITURES; NOTICE.** The department may directly assess
8 forfeitures provided for in sub. (1). If the department determines that a forfeiture
9 should be assessed for a particular violation, the department shall send a notice of
10 assessment to the person. The notice shall specify the amount of the forfeiture
11 assessed and the violation and the statute or rule alleged to have been violated and
12 shall inform the person of the right to hearing under sub. (3).

13 **(3) HEARING.** A person upon whom a forfeiture is imposed may contest the
14 action by sending, within 10 days after receipt of notice of a contested action, a
15 written request for hearing under s. 227.44 to the division of hearings and appeals
16 created under s. 15.103 (1). The administrator of the division may designate a
17 hearing examiner to preside over the case and recommend a decision to the
18 administrator under s. 227.46. The decision of the administrator of the division shall
19 be the final administrative decision. The division shall commence the hearing within
20 30 days of receipt of the request for hearing and shall issue a final decision within
21 15 days after the close of the hearing. Proceedings before the division are governed
22 by ch. 227.

23 **(4) FORFEITURE PAYMENT AND DISPOSITION.** (a) A person against whom the
24 department has assessed a forfeiture shall pay the forfeiture to the department
25 within 10 days after receipt of the notice under sub. (2) or, if the person contests the

1 assessment, within 10 days after receipt of the final decision after exhaustion of
2 administrative review. If the person petitions for judicial review under ch. 227, the
3 person shall pay the forfeiture within 10 days after receipt of the final judicial
4 decision.

5 (b) The department shall remit all forfeitures paid to the state treasurer for
6 deposit in the school fund.

7 **(5) ENFORCEMENT.** The attorney general may bring an action in the name of the
8 state to collect any forfeiture imposed under this section if the forfeiture has not been
9 paid as required under sub. (4). The only issue to be contested in an action under this
10 subsection is whether the forfeiture has been paid.

11 **SECTION 2485g.** Subchapter IX (title) of chapter 254 [precedes 254.911] of the
12 statutes is created to read:

13 **CHAPTER 254**

14 **SUBCHAPTER IX**

15 **INVESTIGATIONS OF THE SALE OR**

16 **GIFT OF CIGARETTES OR**

17 **TOBACCO PRODUCTS TO MINORS**

18 **SECTION 2485h.** 254.911 of the statutes is created to read:

19 **254.911 Definitions.** In this subchapter:

20 **(1)** “Cigarette” has the meaning given in s. 139.30 (1).

21 **(2)** “Governmental regulatory authority” means the department; the local
22 health department, state agency or law enforcement agency with which the
23 department contracts under s. 254.916 (1) (a); or the person with whom the local
24 health department, state agency or law enforcement agency contracts under s.
25 254.916 (1) (a).

1 **(3)** “Law enforcement officer” has the meaning given in s. 165.85 (2) (c).

2 **(4)** “Retailer” has the meaning given in s. 134.66 (1) (g).

3 **(5)** “Retail outlet” means a place of business from which cigarettes or tobacco
4 products are sold at retail to consumers.

5 **(6)** “State agency” has the meaning given in s. 1.12 (1) (b).

6 **(7)** “Tobacco products” has the meaning given in s. 139.75 (12).

7 **(8)** “Tobacco vending machine” is any mechanical device that automatically
8 dispenses cigarettes or tobacco products when money or tokens are deposited in the
9 device in payment for the cigarettes or tobacco products.

10 **(9)** “Tobacco vending machine operator” means a person who acquires tobacco
11 products or stamped cigarettes from manufacturers, as defined in s. 134.66 (1) (e),
12 or permittees, stores them and sells them through the medium of tobacco vending
13 machines that he or she owns, operates or services and that are located on premises
14 that are owned or under the control of other persons.

15 **(10)** “Tobacco vending machine premises” means any area in which a tobacco
16 vending machine is located.

17 **SECTION 2485j.** 254.916 of the statutes is created to read:

18 **254.916 Department; authority.** **(1)** (a) In the administration of this
19 subchapter, the department may contract with local health departments, as agents
20 of the department, with a state agency or with law enforcement agencies of the state,
21 or of a county, city, village or town, to cause unannounced investigations to be
22 conducted at least annually at retail outlets, including sites of tobacco vending
23 machines, to survey overall levels of compliance with s. 134.66 (2) (a) and (am). A
24 person with whom the department contracts under this paragraph may contract
25 with another person to conduct the investigations. Except any survey conducted

1 under 21 CFR part 897, the survey under this subsection shall cover a range of retail
2 outlets that are not preselected on the basis of prior violations, in order to measure
3 overall levels of compliance as well as to identify violations. The survey shall be
4 conducted so as to provide a sample of retail outlets that reflects the distribution of
5 minors throughout the state and the distribution of the retail outlets throughout the
6 state where minors are likely to attempt to purchase cigarettes. The survey shall
7 include all types of retail outlets that are required to comply with s. 134.66 (2) (a) and
8 (am). The department shall use statistically sound sampling techniques in designing
9 the annual surveys so as to measure overall levels of compliance and shall stratify
10 the sample so as to measure compliance by type of retail outlet, including a private
11 place of business other than a retail establishment, but not including a barroom, as
12 defined in s. 125.51 (3m) (a), that is located on premises described in a license issued
13 under s. 125.26 or 125.51 (3).

14 (b) The department, in consultation with retailers and governmental
15 regulatory authorities, shall establish standards for procedures and training for
16 conducting investigations under this section.

17 (c) No retailer may be subject to unannounced investigations more than twice
18 annually unless the retailer is found to have violated s. 134.66 (2) (a) or (am) during
19 each investigation. Investigations conducted under sub. (12) may not be considered
20 unannounced investigations for purposes of this paragraph.

21 **(2)** With the permission of his or her parent or guardian, a person under 18
22 years of age, but not under 15 years of age, may buy, attempt to buy or possess any
23 cigarette or tobacco product if all of the following are true:

24 (a) The person commits the act for the purpose of conducting an investigation
25 under this section.

1 (b) The person is directly supervised during the conducting of the investigation
2 by an adult employe of a governmental regulatory authority.

3 (c) The person has prior written authorization to commit the act from a
4 governmental regulatory authority or a district attorney or from an authorized agent
5 of a governmental regulatory authority or a district attorney.

6 **(3)** (a) All of the following, unless otherwise specified, apply in conducting
7 investigations under this section:

8 (a) If questioned about his or her age during the course of an investigation, the
9 minor shall state his or her true age.

10 (b) A minor may not be used for the purposes of an investigation at a retail
11 outlet at which the minor is a regular customer.

12 (c) The appearance of a minor may not be materially altered so as to indicate
13 greater age.

14 (d) A photograph or videotape of the minor shall be made before or after the
15 investigation or series of investigations on the day of the investigation or series of
16 investigations. If a prosecution results from an investigation, the photograph or
17 videotape shall be retained until the final disposition of the case.

18 (e) A governmental regulatory authority shall make a good faith effort to make
19 known to the retailer or the retailer's employe or agent, within 72 hours after the
20 occurrence of the violation, the results of an investigation, including the issuance of
21 any citation by a governmental regulatory authority for a violation that occurs
22 during the conduct of the investigation. This paragraph does not apply to
23 investigations conducted under a grant received under 42 USC 300x-021.

24 (f) Except with respect to investigations conducted under 42 USC 300x-021 or
25 21 CFR part 897, all of the following information shall be reported to the department,

1 and to the retailer, within 10 days after the conduct of an investigation under this
2 section:

3 1. The name and position of the governmental regulatory authority employe
4 who directly supervised the investigation.

5 2. The age of the minor.

6 3. The date and time of the investigation.

7 4. A reasonably detailed description of the circumstances giving rise to a
8 violation, if any, or, if there is no violation, written notice to that effect.

9 5. Any other relevant information requested by the department.

10 **(4)** No results of an investigation conducted under this section may be included
11 in the survey specified under sub. (1) if it is proved that the requirements under sub.
12 (3) were not met in conducting the investigation.

13 **(5)** No evidence obtained during or otherwise arising from the course of an
14 investigation under this section that is used to prosecute a person for a violation of
15 s. 134.66 (2) (a) or (am) may be used in the prosecution of an alleged violation of s.
16 125.07 (3).

17 **(6)** The department shall compile the results of investigations performed under
18 this section and shall prepare an annual report that reflects the results for
19 submission with the state's application for federal funds under 42 USC 300x-21. The
20 report shall be published for public comment at least 60 days before the beginning
21 of negotiations under sub. (7).

22 **(7)** The department shall strive annually to negotiate with the federal
23 department of health and human services realistic and attainable interim
24 performance targets for compliance with 42 USC 300x-26.

1 **(8)** A governmental regulatory agency under this section shall meet standards
2 established by the department of health and family services. The department shall
3 annually evaluate the investigation program of each governmental regulatory
4 authority. If, at any time, a governmental regulatory authority fails to meet the
5 standards, the department of health and family services may terminate the contract
6 under sub. (1).

7 **(9)** The department shall provide education and training to governmental
8 regulatory authorities to ensure uniformity in the enforcement of this subchapter.

9 **(10)** This section does not limit the authority of the department to investigate
10 establishments in jurisdictional areas of governmental regulatory authorities if the
11 department investigates in response to an emergency, for the purpose of monitoring
12 and evaluating the governmental regulatory authority's investigation and
13 enforcement program or at the request of the governmental regulatory authority.

14 **(11)** The department shall hold a hearing under ch. 227 if any interested
15 person, in lieu of proceeding under ch. 68, appeals to the department alleging that
16 the person making an investigation of the appellant has a financial interest in a
17 regulated cigarette and tobacco product retailer, tobacco vending machine operator,
18 tobacco vending machine premises or tobacco vending machine which may interfere
19 with his or her ability to properly take that action.

20 **(12)** This section does not apply to surveys conducted by local units of
21 government that have not entered into a contract under sub. (1), to determine overall
22 levels of compliance with s. 134.66 (2) (a) and (am). No results obtained under such
23 surveys may be used for the purpose of issuing warnings or citations or any other
24 enforcement mechanism.

1 **(13)** The requirements of subs. (1) to (12) do not apply to investigations of retail
2 establishments conducted by the city of Madison, or the local health department or
3 law enforcement agency of the city of Madison, in its jurisdictional area to determine
4 compliance with and to enforce s. 134.66 (2).

5 **SECTION 2485L.** 254.92 (2) (b) of the statutes is created to read:

6 254.92 **(2)** (b) A person under 18 years of age, but not under 15 years of age,
7 may purchase, attempt to purchase or possess cigarettes or tobacco products in the
8 course of his or her participation in an investigation under s. 254.916 that is
9 conducted in accordance with s. 254.916 (3).

10 **SECTION 2485t.** 255.05 (1) (a) of the statutes is amended to read:

11 255.05 **(1)** (a) “Institution” means any hospital, nursing home, county home,
12 county mental hospital, ~~tuberculosis sanatorium,~~ community-based residential
13 facility or other place licensed or approved by the department under ~~ss. s. 49.70,~~
14 ~~49.71, 49.72, 50.02, 50.03, 50.35, 51.08, or 51.09, 58.06, 252.073 and 252.076.~~

15 **SECTION 2486g.** 255.15 of the statutes is created to read:

16 **255.15 Statewide tobacco control program. (1) DEFINITIONS.** In this
17 section, “board” means the tobacco control board.

18 **(1m) DUTIES.** The board shall do all of the following:

19 (a) Appoint an executive director within the classified service who shall employ
20 staff within the classified service with appropriate programmatic and technical
21 expertise.

22 (b) Administer the grant program under sub. (3).

23 (c) Promulgate rules establishing criteria for recipients of grants awarded
24 under sub. (3), including performance-based standards for grant recipients that

1 propose to use the grant for media efforts. The board shall ensure that programs or
2 projects conducted under the grants are culturally sensitive.

3 (d) Provide a forum for the discussion, development, and recommendation of
4 public policy alternatives in the field of smoking cessation and prevention.

5 (e) Provide a clearinghouse of information on matters relating to tobacco issues
6 and how they are being met in different places throughout the nation such that both
7 lay and professional groups in the field of government, health care and education
8 may have additional avenues for sharing experiences and interchanging ideas in the
9 formulation of public policy on tobacco.

10 (f) Develop and prepare an annual plan regarding the allocation of funding for
11 a statewide tobacco control program based on successful tobacco control programs in
12 other states and based on recommendations of the U.S. Centers for Disease Control
13 regarding the allocation of funding for comprehensive tobacco control programs.

14 **(3) USE OF FUNDS.** (a) From the appropriation under s. 20.436 (1) (tc), the board
15 shall distribute the following amounts to or for all of the following:

16 1. The board of regents of the University of Wisconsin System for the tobacco
17 research and intervention center at the University of Wisconsin–Madison,
18 \$1,000,000 in each fiscal year.

19 2. The Thomas T. Melvin youth tobacco prevention and education program
20 under s. 255.10, \$1,000,000 in fiscal year 1999–2000 and not less than \$1,000,000 in
21 fiscal year 2000–01 and in each fiscal year thereafter.

22 3. A youth smokeless tobacco cessation and prevention campaign developed by
23 the division within the department that has primary responsibility for
24 administering public health programs, \$92,000 in fiscal year 1999–2000.

1 4. The Medical College of Wisconsin for tobacco use prevention and cessation
2 activities, \$500,000 in fiscal year 2000–01 and in each fiscal year thereafter. Funds
3 distributed under this subdivision may only be used for activities directly related to
4 preventing individuals from smoking and assisting smokers to quit smoking.

5 (b) From the appropriation under s. 20.436 (1) (tc), the board may distribute
6 grants for any of the following:

7 1. Community–based programs to reduce tobacco use.

8 2. Community–based programs to reduce the burden of tobacco–related
9 diseases.

10 3. School–based programs relating to tobacco use cessation and prevention.

11 4. Enforcement of local laws aimed at reducing exposure to secondhand smoke
12 and restricting underage access to tobacco.

13 5. Grants for partnerships among statewide organizations and businesses that
14 support activities related to tobacco use cessation and prevention.

15 6. Marketing activities that promote tobacco use cessation and prevention.

16 7. Projects designed to reduce tobacco use among minorities and pregnant
17 women.

18 8. Other tobacco use cessation programs.

19 9. Surveillance of indicators of tobacco use and evaluation of the activities
20 funded under this section.

21 10. Development of policies that restrict access to tobacco products and reduce
22 exposure to environmental tobacco smoke.

23 (c) No recipient of moneys distributed under par. (b) may expend more than
24 10% of those moneys for administrative costs.

1 **(4) REPORTS.** Not later than July 1, 2001, and annually thereafter, the board
2 shall submit to the governor and to the chief clerk of each house of the legislature for
3 distribution under s. 13.172 (2) a report that evaluates the success of the grant
4 program under sub. (3). The report shall specify the number of grants awarded
5 during the immediately preceding fiscal year and the purpose for which each grant
6 was made. The report shall also specify donations and grants accepted by the board
7 under sub. (5).

8 **(5) FUNDS.** The board may accept for any of its purposes any donations and
9 grants of money, equipment, supplies, materials and services from any person. The
10 board shall include in the report under sub. (4) any donation or grant accepted by the
11 board under this subsection, including the nature, amount and conditions, if any, of
12 the donation or grant and the identity of the donor.

13 **(6) SUBCOMMITTEES.** The board may create subcommittees to assist in its work.
14 If the board creates subcommittees, one of the subcommittees shall address the issue
15 of populations most adversely affected by tobacco.

16 **SECTION 2487.** 281.01 (15) of the statutes is amended to read:

17 281.01 **(15)** “Solid waste” means any garbage, refuse, sludge from a waste
18 treatment plant, water supply treatment plant or air pollution control facility and
19 other discarded or salvageable materials, including solid, liquid, semisolid, or
20 contained gaseous materials resulting from industrial, commercial, mining and
21 agricultural operations, and from community activities, but does not include solids
22 or dissolved material in domestic sewage, or solid or dissolved materials in irrigation
23 return flows or industrial discharges which are point sources subject to permits
24 under ch. 283, or source material, as defined in s. 254.31 (10), special nuclear

1 material, as defined in s. 254.31 (11), or by-product material, as defined in s. 254.31
2 ~~(3)~~ (1).

3 **SECTION 2487p.** 281.16 (3) (e) of the statutes is amended to read:

4 281.16 (3) (e) An owner or operator of an agricultural facility or practice that
5 is in existence before October 14, 1997, may not be required by this state or a
6 municipality to comply with the performance standards, prohibitions, conservation
7 practices or technical standards under this subsection unless cost-sharing is
8 available, under ~~sub. (5)~~ or s. 92.14 or 281.65 or from any other source, to the owner
9 or operator. For the purposes of this paragraph, sub. (4) and ss. 92.07 (2), 92.105 (1),
10 92.15 (4) and 823.08 (3) (c) 2., the department of natural resources shall promulgate
11 rules that specify criteria for determining whether cost-sharing is available under
12 ~~sub. (5)~~ or s. 281.65 and the department of agriculture, trade and consumer
13 protection shall promulgate rules that specify criteria for determining whether
14 cost-sharing is available under s. 92.14 or from any other source. The rules may not
15 allow a determination that cost-sharing is available to meet local regulations under
16 s. 92.07 (2), 92.105 (1) or 92.15 that are consistent with or that exceed the
17 performance standards, prohibitions, conservation practices or technical standards
18 under this subsection unless the cost-sharing is at least 70% of the cost of compliance
19 or is from 70% to 90% of the cost of compliance in cases of economic hardship, as
20 defined in the rules.

21 **SECTION 2487r.** 281.16 (4) of the statutes is amended to read:

22 281.16 (4) APPLICATION TO ANIMAL FEEDING OPERATIONS. If the department issues
23 a notice of discharge under ch. 283 for an animal feeding operation, the performance
24 standards, prohibitions, conservation practices and technical standards under sub.
25 (3) apply to the animal feeding operation, except that if the animal feeding operation

1 is in existence before October 14, 1997, the performance standards, prohibitions,
2 conservation practices and technical standards only apply if the department
3 determines that cost-sharing is available to the owner or operator of the animal
4 feeding operation under ~~sub. (5)~~, s. 92.14 or 281.65 or from any other source.

5 **SECTION 2487t.** 281.16 (5) of the statutes is repealed.

6 **SECTION 2487x.** 281.165 of the statutes is created to read:

7 **281.165 Compliance with water quality standards for wetlands. (1)**

8 COMPLIANCE; EXEMPTION. An activity shall be considered to comply with the water
9 quality standards that are applicable to wetlands and that are promulgated as rules
10 under s. 281.15 and is exempt from any prohibition, restriction, requirement, permit,
11 license, approval, authorization, fee, notice, hearing, procedure or penalty specified
12 under s. 29.601 (3) or chs. 30, 31, 281, 283, 289 to 292 or 299 or specified under any
13 rule promulgated, order issued or ordinance adopted under any of those sections or
14 chapters, if the activity meets all of the requirements under either sub. (2) or (3).

15 **(2) TREMPPEALEAU COUNTY.** Subsection (1) applies to an activity that meets all
16 of the following requirements:

17 (a) The wetland area that will be affected by the activity is less than 15 acres
18 in size.

19 (b) The site of the activity is zoned for industrial use and is in the vicinity of
20 a manufacturing facility.

21 (c) The site of the activity is within the corporate limits of a city on
22 January 1, 1999.

23 (d) The governing body of the city adopts a resolution stating that the
24 exemption under this section is necessary to protect jobs that exist in the city on the
25 date of the adoption of the resolution or is necessary to promote job creation.

1 (e) The site of the activity is located in Trempealeau County.

2 **(3) DUNN COUNTY.** (a) Subsection (1) applies to an activity that meets the
3 requirements under sub. (2) (c) and (d) and all of the following requirements:

4 1. The wetland area that will be affected by the activity is no more than 4.2
5 acres in size.

6 2. The site of the activity is zoned for technology park use and is in the vicinity
7 of a manufacturing facility.

8 3. The site of the activity is located in Dunn County.

9 (b) Before any person engages in the activity described in par. (a), the U.S.
10 Army Corps of Engineers shall have issued a permit for the activity that contains a
11 mitigation plan that requires the creation of at least 1.5 acres of wetland for each acre
12 of wetland affected by the activity.

13 **SECTION 2490x.** 281.57 (10r) of the statutes is created to read:

14 **281.57 (10r)** LOAN FOR REPLACEMENT OF A FAILED SEQUENTIAL BATCH REACTOR.
15 Notwithstanding subs. (2), (4) to (10) and (12), during the 1999–2001 biennium, the
16 department shall provide a loan of \$770,000 to a municipality for all of the
17 administrative, planning, design and construction costs incurred after
18 January 1, 1997, for the replacement of a failed sequential batch reactor point source
19 pollution abatement facility for which the department has issued written
20 concurrence on or before March 26, 1999, that the construction of a new wastewater
21 treatment plant is the most cost-effective option, and for which the municipality has
22 on or before March 26, 1999, committed to work with the department towards
23 securing reimbursement of the loan from the federal environmental protection
24 agency under 40 CFR 35.2032. The department may not charge any interest on the
25 loan and may not require the municipality to repay the loan until the municipality

1 receives a grant from the federal environmental protection agency for the
2 replacement of the point source pollution abatement facility. If the federal
3 environmental protection agency denies the grant or a portion of the grant, the
4 department shall forgive the amount of the loan that exceeds the amount of the
5 grant.

6 **SECTION 2490z.** 281.57 (10t) of the statutes is created to read:

7 **281.57 (10t)** LOAN FOR A DRINKING WATER TREATMENT PLANT. Notwithstanding
8 subs. (2), (4) to (10) and (12), during the 1999–2001 biennium, the department shall
9 provide a loan of \$1,100,000 to the village of Marathon for the upgrading or
10 replacement of a drinking water treatment plant. The department may not charge
11 any interest on the loan. The department may not require the municipality to repay
12 the loan until the municipality receives a grant from the federal environmental
13 protection agency for the upgrading or replacement of the drinking water treatment
14 plant. If the federal environmental protection agency denies the grant or a portion
15 of the grant, the village of Marathon shall repay the amount of the loan that exceeds
16 the amount of the grant.

17 **SECTION 2491.** 281.58 (1) (ae) of the statutes is repealed.

18 **SECTION 2492.** 281.58 (6) (a) 4. of the statutes is repealed.

19 **SECTION 2493.** 281.58 (6) (b) 1. of the statutes is amended to read:

20 **281.58 (6) (b) 1.** Purchasing or refinancing the obligation of a municipality if
21 the obligation was incurred to finance the cost of constructing a water pollution
22 control project located in this state ~~and the obligation was initially incurred on or~~
23 ~~after May 17, 1988.~~

24 **SECTION 2494.** 281.58 (6) (b) 2. of the statutes is repealed.

25 **SECTION 2495.** 281.58 (7) (b) 3. of the statutes is repealed.

1 **SECTION 2495p.** 281.58 (7) (b) 5. of the statutes is repealed.

2 **SECTION 2496.** 281.58 (7) (b) 7. of the statutes is repealed.

3 **SECTION 2496m.** 281.58 (8) (a) 1. of the statutes is amended to read:

4 281.58 **(8)** (a) 1. A person or municipality that has failed to substantially
5 comply, as specified by the rules promulgated under sub. (2), with the terms of a
6 federal or state grant or loan used to pay the costs of studies, investigations, plans,
7 designs or construction associated with wastewater collection, transportation,
8 treatment or disposal ~~or used to pay the cost of studies, investigations, plans, designs~~
9 ~~or construction associated with implementing a nonpoint source control~~
10 ~~management program.~~

11 **SECTION 2497.** 281.58 (8) (h) of the statutes is amended to read:

12 281.58 **(8)** (h) Except as provided in par. (k), a municipality that is a violator
13 of an effluent limitation at the time that the application for a treatment work project
14 is approved under sub. (9m) may not receive financial assistance of a method
15 specified under sub. (6) (b) 1., 2., 3., 4. or 5. for that part of the treatment work project
16 that is needed to correct the violation. This paragraph does not apply to a
17 municipality that after May 17, 1988, is in compliance with a court or department
18 order to correct a violation of the enforceable requirements of its ch. 283 permit, and
19 that is applying for financial assistance under s. 281.59 (13) to correct that violation.

20 **SECTION 2498.** 281.58 (8) (j) of the statutes is created to read:

21 281.58 **(8)** (j) The amount of a payment under sub. (6) (b) 8. may not exceed the
22 amount of subsidy necessary to reduce the interest rate on the loan from market rate
23 to the interest rate that would have been charged on a loan to the municipality under
24 sub. (6) (b) 4.

25 **SECTION 2499.** 281.58 (8) (L) of the statutes is repealed.

1 **SECTION 2500.** 281.58 (8e) (a) of the statutes is amended to read:

2 281.58 **(8e)** (a) The type of project and the order in which it is listed under sub.
3 (7) (b) 1. to ~~7.~~ 6.

4 **SECTION 2501.** 281.58 (8s) of the statutes is amended to read:

5 281.58 **(8s)** FACILITY PLAN. A municipality seeking financial assistance for a
6 project under this section, ~~except for a municipality seeking a capital cost loan,~~ shall
7 complete a facility plan as required by the department by rule.

8 **SECTION 2502.** 281.58 (9) (b) of the statutes is amended to read:

9 281.58 **(9)** (b) A municipality seeking financial assistance, ~~except for a~~
10 ~~municipality seeking a capital cost loan,~~ for a project under the clean water fund
11 program shall complete an environmental analysis sequence as required by the
12 department by rule.

13 **SECTION 2502v.** 281.58 (12) (a) 2. of the statutes is repealed.

14 **SECTION 2503.** 281.58 (12) (a) 4. of the statutes is amended to read:

15 281.58 **(12)** (a) 4. The interest rate for projects specified in sub. (7) (b) 6. and
16 ~~7.~~ and for those portions of projects under subd. 1. that are restricted by sub. (8) (b),
17 (c), (f) or (h) is market interest rate.

18 **SECTION 2504.** 281.58 (12) (a) 5. of the statutes is repealed.

19 **SECTION 2504e.** 281.58 (12) (f) of the statutes is amended to read:

20 281.58 **(12)** (f) The department and the department of administration jointly
21 may request the joint committee on finance to take action under s. 13.101 (11) to
22 modify the percentage of market interest rates established in par. (a) 1. ~~to~~ or 3.

23 **SECTION 2504p.** 281.59 (1) (d) (intro.) of the statutes is amended to read:

24 281.59 **(1)** (d) (intro.) “Subsidy” means the amounts provided from the
25 environmental improvement fund to clean water fund program, safe drinking water

1 loan program, urban storm water loan program and land recycling loan program
2 projects for the following purposes:

3 **SECTION 2504q.** 281.59 (1) (d) 1. of the statutes is amended to read:

4 281.59 (1) (d) 1. To reduce the interest rate of clean water fund program, safe
5 drinking water loan program, urban storm water loan program and land recycling
6 loan program loans from market rate to a subsidized rate.

7 **SECTION 2504r.** 281.59 (1) (em) of the statutes is created to read:

8 281.59 (1) (em) “Urban storm water loan program” means the program
9 administered under s. 281.595, with financial management provided under this
10 section.

11 **SECTION 2505.** 281.59 (1m) (c) of the statutes is created to read:

12 281.59 (1m) (c) There is established a private sewage system replacement and
13 rehabilitation loan program, administered under s. 145.245 (12m).

14 **SECTION 2506f.** 281.59 (1m) (d) of the statutes is created to read:

15 281.59 (1m) (d) There is established an urban storm water loan program,
16 administered under s. 281.595, with financial management provided under this
17 section.

18 **SECTION 2506g.** 281.59 (2) (a) of the statutes is amended to read:

19 281.59 (2) (a) Administer its responsibilities under this section and ss. 281.58,
20 281.595, 281.60 and 281.61.

21 **SECTION 2506h.** 281.59 (2) (b) of the statutes is amended to read:

22 281.59 (2) (b) Cooperate with the department in administering the clean water
23 fund program, the safe drinking water loan program, the urban storm water loan
24 program and the land recycling loan program.

25 **SECTION 2506i.** 281.59 (3) (a) 1. of the statutes is amended to read:

1 281.59 (3) (a) 1. An estimate of the wastewater treatment, safe drinking water,
2 urban storm water and land recycling project needs of the state for the 4 fiscal years
3 of the next 2 biennia.

4 **SECTION 2506j.** 281.59 (3) (a) 4. of the statutes is amended to read:

5 281.59 (3) (a) 4. The extent to which the funding for the clean water fund
6 program, the urban storm water loan program and the safe drinking water loan
7 program, in the environmental improvement fund, will be maintained in perpetuity.

8 **SECTION 2506k.** 281.59 (3) (a) 5. of the statutes is amended to read:

9 281.59 (3) (a) 5. The most recent available audited financial statements of the
10 past operations and activities of the clean water fund program, the safe drinking
11 water loan program, the urban storm water loan program and the land recycling loan
12 program, the estimated environmental improvement fund capital available in each
13 of the next 4 fiscal years for the clean water fund program, the urban storm water
14 loan program and the safe drinking water loan program, and the projected
15 environmental improvement fund balance for the clean water fund program, the
16 urban storm water loan program and the safe drinking water loan program for each
17 of the next 20 years given existing obligations and financial conditions.

18 **SECTION 2506L.** 281.59 (3) (a) 6s. of the statutes is created to read:

19 281.59 (3) (a) 6s. An amount equal to the estimated present value of subsidies
20 for all loans under the urban storm water loan program to be made during the
21 biennium for which the biennial finance plan is prepared, discounted at a rate of 7%
22 per year to the first day of that biennium.

23 **SECTION 2506m.** 281.59 (3) (a) 7. of the statutes is amended to read:

24 281.59 (3) (a) 7. A discussion of the assumptions made in calculating the
25 amounts under subds. 6., 6e. ~~and~~ 6m. and 6s.

1 **SECTION 2506q.** 281.59 (3) (j) of the statutes is amended to read:

2 281.59 **(3)** (j) No later than November 1 of each odd-numbered year, the
3 department of administration and the department jointly shall submit a report, to
4 the building commission and committees as required under par. (bm), on the
5 implementation of the amount established under sub. (3e) (b) as required under s.
6 281.58 (9m) (e), and on the operations and activities of the clean water fund program,
7 the safe drinking water loan program, the urban storm water loan program and the
8 land recycling loan program for the previous biennium.

9 **SECTION 2507.** 281.59 (3e) (b) 1. and 3. of the statutes are amended to read:

10 281.59 **(3e)** (b) 1. Equal to ~~\$90,200,000~~ \$85,200,000 during the ~~1997-99~~
11 1999-01 biennium.

12 3. Equal to \$1,000 for any biennium after the ~~1997-99~~ 1999-01 biennium.

13 **SECTION 2508.** 281.59 (3m) (b) 1. and 2. of the statutes are amended to read:

14 281.59 **(3m)** (b) 1. Equal to ~~\$4,500,000~~ \$9,400,000 during the ~~1997-99~~ 1999-01
15 biennium.

16 2. Equal to \$1,000 for any biennium after the ~~1997-99~~ 1999-01 biennium.

17 **SECTION 2509.** 281.59 (3s) (b) 1. and 2. of the statutes are amended to read:

18 281.59 **(3s)** (b) 1. Equal to ~~\$21,000,000~~ \$12,600,000 during the ~~1997-99~~
19 1999-01 biennium.

20 2. Equal to \$1,000 for any biennium after the ~~1997-99~~ 1999-01 biennium.

21 **SECTION 2509m.** 281.59 (3v) of the statutes is created to read:

22 281.59 **(3v)** URBAN STORM WATER LOAN PROGRAM EXPENDITURES. (a) No moneys
23 may be expended for the urban storm water loan program in a biennium until the
24 legislature reviews and approves all of the following as part of the biennial budget
25 act for the biennium:

1 1. An amount of present value of the subsidy for the urban storm water loan
2 program that is specified for that biennium under par. (b) and is based on the amount
3 included in the biennial finance plan under sub. (3) (a) 6s.

4 2. The amount of public debt, authorized under s. 20.866 (2) (tc), that the state
5 may contract for the purposes of the urban storm water loan program.

6 (b) The amount of present value of the subsidy for the urban storm water loan
7 program that is approved by the legislature under this paragraph is as follows:

8 1. Equal to \$4,500,000 during the 1999–01 biennium.

9 2. Equal to \$1,000 for any biennium after the 1999–01 biennium.

10 (c) The department of administration may allocate amounts approved under
11 par. (b) as the present value of subsidies for financial assistance under the urban
12 storm water loan program.

13 (d) Using the amount approved under par. (b) as a base, the department of
14 administration shall calculate the present value of the actual subsidy of each urban
15 storm water loan made for those projects in each biennium that are approved for
16 financial assistance. The present value shall be discounted as provided under sub.
17 (3) (a) 6s.

18 **SECTION 2509p.** 281.59 (4) (a) of the statutes is amended to read:

19 281.59 (4) (a) The clean water fund program is ~~a, the urban storm water loan~~
20 ~~program and the safe drinking water loan program are revenue-producing~~
21 ~~enterprise or program enterprises or programs,~~ as defined in s. 18.52 (6).

22 **SECTION 2509q.** 281.59 (4) (am) of the statutes is amended to read:

23 281.59 (4) (am) Deposits, appropriations or transfers to the environmental
24 improvement fund for the purposes of the clean water fund program, the urban storm
25 water loan program or the safe drinking water loan program may be funded with the

1 proceeds of revenue obligations issued subject to and in accordance with subch. II of
2 ch. 18 or in accordance with subch. IV of ch. 18 if designated a higher education bond.

3 **SECTION 2510.** 281.59 (4) (b) of the statutes is amended to read:

4 281.59 (4) (b) The department of administration may, under s. ~~18.56 (5) and (9)~~
5 ~~(j) 18.561 or 18.562~~, deposit in a separate and distinct fund in the state treasury or
6 in an account maintained by a trustee outside the state treasury, any portion of the
7 revenues derived under s. 25.43 (1). The revenues deposited with a trustee outside
8 the state treasury are the trustee's revenues in accordance with the agreement
9 between this state and the trustee or in accordance with the resolution pledging the
10 revenues to the repayment of revenue obligations issued under this subsection.

11 **SECTION 2510d.** 281.59 (4) (c) of the statutes is amended to read:

12 281.59 (4) (c) The building commission may pledge any portion of revenues
13 received or to be received in the fund established in par. (b) or the environmental
14 improvement fund to secure revenue obligations issued under this subsection. The
15 pledge shall provide for the transfer to the environmental improvement fund of all
16 pledged revenues, including any interest earned on the revenues, which are in excess
17 of the amounts required to be paid under s. 20.320 (1) (c) and (u) for the purposes of
18 the clean water fund program or the urban storm water loan program plus the
19 amounts required to be paid under s. 20.320 (2) (c) and (u) for the safe drinking water
20 loan program. The pledge shall provide that the transfers be made at least twice
21 yearly, that the transferred amounts be deposited in the environmental
22 improvement fund and that the transferred amounts are free of any prior pledge.

23 **SECTION 2510m.** 281.59 (4) (f) of the statutes is amended to read:

24 281.59 (4) (f) Revenue obligations may be contracted by the building
25 commission when it reasonably appears to the building commission that all

1 obligations incurred under this subsection can be fully paid on a timely basis from
2 moneys received or anticipated to be received. Revenue obligations issued under this
3 subsection for the clean water fund program and the urban storm water loan
4 program shall not exceed \$1,297,755,000 in principal amount, excluding obligations
5 issued to refund outstanding revenue obligation notes. Revenue obligations issued
6 under this subsection for the safe drinking water loan program shall not exceed
7 \$27,700,000 in principal amount, excluding obligations issued to refund outstanding
8 revenue obligation notes.

9 **SECTION 2511.** 281.59 (9) (a) of the statutes is amended to read:

10 281.59 (9) (a) A loan approved under the clean water fund program, the safe
11 drinking water loan program, the urban storm water loan program or the land
12 recycling loan program shall be for no longer than 20 years, as determined by the
13 department of administration, be fully amortized not later than 20 years after the
14 original date of the ~~note~~ financial assistance agreement, and require the repayment
15 of principal and interest, if any, to begin not later than 12 months after the expected
16 date of completion of the project that it funds, as determined by the department of
17 administration.

18 **SECTION 2511c.** 281.59 (9) (am) of the statutes is amended to read:

19 281.59 (9) (am) The department of administration, in consultation with the
20 department, may establish those terms and conditions of a financial assistance
21 agreement that relate to its financial management, including what type of municipal
22 obligation, as set forth under s. 66.36, is required for the repayment of the financial
23 assistance. Any terms and conditions established under this paragraph by the
24 department of administration shall comply with the requirements of this section and
25 s. 281.58, 281.595, 281.60 or 281.61. In setting the terms and conditions, the

1 department of administration may consider factors that the department of
2 administration finds are relevant, including the type of obligation evidencing the
3 loan, the pledge of security for the obligation and the applicant's creditworthiness.

4 **SECTION 2511e.** 281.59 (9) (b) (intro.) of the statutes is amended to read:

5 281.59 (9) (b) (intro.) As a condition of receiving financial assistance under the
6 clean water fund program, the safe drinking water loan program, the urban storm
7 water loan program or the land recycling loan program, an applicant shall do all of
8 the following:

9 **SECTION 2511f.** 281.59 (9) (b) 1. of the statutes is amended to read:

10 281.59 (9) (b) 1. Pledge the security, if any, required by the rules promulgated
11 by the department of administration under this section and s. 281.58, 281.595,
12 281.60 or 281.61.

13 **SECTION 2511g.** 281.59 (11) (a) of the statutes is amended to read:

14 281.59 (11) (a) The department of natural resources and the department of
15 administration may enter into a financial assistance agreement with an applicant
16 for which the department of administration has allocated subsidy under s. 281.58
17 (9m), 281.595 (8), 281.60 (8) or 281.61 (8) if the applicant meets the conditions under
18 sub. (9) and the other requirements under this section and s. 281.58, 281.595, 281.60
19 or 281.61.

20 **SECTION 2511i.** 281.59 (11) (b) of the statutes is amended to read:

21 281.59 (11) (b) If a municipality fails to make a principal repayment or interest
22 payment after its due date, the department of administration shall place on file a
23 certified statement of all amounts due under this section and s. 281.58, 281.595,
24 281.60 or 281.61. After consulting the department, the department of
25 administration may collect all amounts due by deducting those amounts from any

1 state payments due the municipality or may add a special charge to the amount of
2 taxes apportioned to and levied upon the county under s. 70.60. If the department
3 of administration collects amounts due, it shall remit those amounts to the fund to
4 which they are due and notify the department of that action.

5 **SECTION 2511k.** 281.59 (11) (c) of the statutes is amended to read:

6 281.59 (11) (c) The department of administration may retain the last payment
7 under a financial assistance agreement until the department of natural resources
8 and the department of administration determine that the project is completed and
9 meets the applicable requirements of this section and s. 281.58, 281.595, 281.60 or
10 281.61 and that the conditions of the financial assistance agreement are met.

11 **SECTION 2512.** 281.59 (12) of the statutes is amended to read:

12 281.59 (12) MUNICIPAL OBLIGATIONS. The department of administration may
13 purchase or refinance obligations specified in s. 281.58 (6) (b) 1. ~~or 2.~~ and guarantee
14 or purchase insurance for municipal obligations specified in s. 281.58 (6) (b) 3. if the
15 department of administration and the department of natural resources approve the
16 financial assistance under this section and s. 281.58.

17 **SECTION 2512e.** 281.59 (13s) of the statutes is amended to read:

18 281.59 (13s) POWERS. The department of administration may audit, or contract
19 for audits of, projects receiving financial assistance under the clean water fund
20 program, the safe drinking water loan program, the urban storm water loan program
21 and the land recycling loan program.

22 **SECTION 2512g.** 281.59 (14) of the statutes is amended to read:

23 281.59 (14) RULES. The department of administration shall promulgate rules
24 that are necessary for the proper execution of this section and of its responsibilities
25 under ss. 281.58, 281.595, 281.60 and 281.61.

1 **SECTION 2512j.** 281.595 of the statutes is created to read:

2 **281.595 Urban storm water loan program. (1) DEFINITIONS.** In this section:

3 (a) “Local governmental unit” means a city, village, town, county, town sanitary
4 district, public inland lake protection and rehabilitation district or metropolitan
5 sewerage district.

6 (b) “Market interest rate” means the interest at the effective rate of a revenue
7 obligation issued by this state to fund a loan or portion of a loan for a clean water fund
8 program project under s. 281.58.

9 (c) “Population” means population shown by the last federal census or by any
10 subsequent population estimate under s. 16.96.

11 (d) “Urban area” means any of the following:

- 12 1. An area with a population of 1,000 or more per square mile.
13 2. An area in which the land is used for industrial or commercial land uses.
14 3. An area that is surrounded by an area described in subd. 1. or 2.

15 (e) “Urban storm water loan program” means the program administered under
16 this section, with financial management provided under s. 281.59.

17 **(2) GENERAL.** The department and the department of administration shall
18 administer a program to provide financial assistance to local governmental units for
19 the planning, designing, construction or modification of nonpoint source pollution
20 and urban storm water runoff projects in urban areas.

21 **(2g) INELIGIBLE USES.** A local governmental unit may not use financial
22 assistance under this section to pay any portion of the cost of a project for which
23 financial assistance is provided under s. 281.65.

1 **(2r)** METHODS OF PROVIDING FINANCIAL ASSISTANCE. The following methods of
2 providing financial assistance may be used under the urban storm water loan
3 program:

4 (a) Making loans below the market interest rate for projects described in sub.
5 (2).

6 (b) Purchasing or refinancing the obligation of a local governmental unit that
7 was incurred to finance the cost of a project described in sub. (2).

8 (c) Guaranteeing, or purchasing insurance for, obligations incurred to finance
9 the cost of projects described in sub. (2) if the guarantee or insurance will provide
10 credit market access or reduce interest rates.

11 (d) Providing payments to the board of commissioners of public lands to reduce
12 principal or interest payments, or both, on loans made to local governmental units
13 under subch. II of ch. 24 by the board of commissioners of public lands for projects
14 that are eligible for financial assistance under the urban storm water loan program.

15 **(3)** NOTICE OF INTENT TO APPLY. (a) A local governmental unit shall submit notice
16 of its intent to apply for financial assistance under the urban storm water loan
17 program at least 6 months before the beginning of the fiscal year in which it intends
18 to receive the financial assistance. The notice shall be in a form prescribed by the
19 department and the department of administration.

20 (b) If a local governmental unit does not apply for financial assistance by April
21 30 of the 2nd year following the year in which it submitted notice under par. (a), the
22 local governmental unit shall submit a new notice under par. (a).

23 (c) The department may waive par. (a) or (b) upon the written request of a local
24 governmental unit.

1 **(4) ENGINEERING REPORT.** A local governmental unit seeking financial
2 assistance for a project under this section shall submit an engineering report, as
3 required by the department by rule.

4 **(5) APPLICATION.** After the department approves a local governmental unit's
5 engineering report submitted under sub. (4), the local governmental unit shall
6 submit an application for urban storm water financial assistance to the department.
7 The applicant shall submit the application before the April 30 preceding the
8 beginning of the fiscal year in which the applicant wishes to receive the financial
9 assistance. The application shall be in the form and include the information required
10 by the department and the department of administration and shall include plans and
11 specifications that are approvable by the department under this section. An
12 applicant may not submit more than one application per project per year.

13 **(6) PRIORITY LIST.** The department shall establish a priority list that ranks each
14 urban storm water loan program project. The department shall promulgate rules for
15 determining project rankings that base project priority on the impact of a project on
16 groundwater and surface water quality and on public health.

17 **(7) APPROVAL OF APPLICATION.** The department shall approve an application
18 received under sub. (5) after all of the following occur:

19 (a) The project is ranked on the priority list under sub. (6).

20 (b) The department determines that the project meets the eligibility
21 requirements under this section.

22 (c) The department of administration determines that the local governmental
23 unit will meet the requirements of s. 281.59 (9) (b).

24 (d) The legislature has approved an amount under s. 281.59 (3v) (b) 1. for the
25 biennium.

1 **(8)** FUNDING LIST; ALLOCATION OF FUNDING. (a) The department shall establish
2 a funding list for each fiscal year that ranks projects of local governmental units that
3 submit approvable applications under sub. (5) in the same order that they appear on
4 the priority list under sub. (6). If sufficient funds are not available to fund all
5 approved applications for financial assistance, the department of administration
6 shall allocate funding to projects that are approved under sub. (7) in the order that
7 they appear on the funding list.

8 (b) In allocating subsidy under this subsection, the department of
9 administration shall adhere to the amount approved by the legislature for each
10 biennium under s. 281.59 (3v) (b).

11 **(8m)** CONDITIONS OF FINANCIAL ASSISTANCE. As a condition of receiving financial
12 assistance under the urban storm water loan program, a local governmental unit
13 shall do all of the following:

14 (a) Establish a dedicated source of revenue for the repayment of the financial
15 assistance.

16 (b) Comply with those provisions of 33 USC 1381 to 1387 and this chapter and
17 ch. 283 and the regulations and rules promulgated under those provisions that the
18 department specifies.

19 (c) Develop and adopt a program for the operation and maintenance of the
20 nonpoint source pollution or storm water project, including the training of personnel,
21 as required by the department.

22 **(8s)** INELIGIBILITY FOR AND LIMITATION ON FINANCIAL ASSISTANCE. (a) A person or
23 municipality that has failed to substantially comply, as specified by the rules
24 promulgated under sub. (12), with the terms of a federal or state grant or loan used
25 to pay the cost of studies, investigations, plans, designs or construction associated

1 with implementing a nonpoint source control management program is not eligible
2 for financial assistance from the urban storm water loan program.

3 (b) The amount of a payment under sub. (2r) (d) may not exceed the amount of
4 subsidy necessary to reduce the interest rate on the loan from market rate to the
5 interest rate that would have been charged on a loan to the local governmental unit
6 under sub. (2r) (a).

7 **(9) FINANCIAL ASSISTANCE COMMITMENTS.** The department and the department
8 of administration may, at the request of a local governmental unit, issue a notice of
9 financial assistance commitment after the local governmental unit's application for
10 urban storm water financial assistance has been approved under sub. (7) and
11 funding has been allocated under sub. (8) for the local governmental unit's project.
12 The notice of financial assistance commitment shall specify the conditions that the
13 local governmental unit must meet to secure financial assistance and shall include
14 the estimated repayment schedules and other terms of the financial assistance.

15 **(10) DEADLINE FOR CLOSING.** If funding is allocated to a project under sub. (8)
16 for a loan and the loan is not closed before April 30 of the year following the year in
17 which funding is allocated, the department of administration shall release the
18 funding allocated to the project.

19 **(11) LOAN INTEREST RATES.** (a) Except as provided under par. (b), the interest
20 rate on an urban storm water loan program loan shall be 55% of market interest rate.

21 (b) The department and the department of administration jointly may request
22 the joint committee on finance to take action under s. 13.101 (11) to modify the
23 percentage of market interest under par. (a).

24 **(11m) SERVICE FEE.** The department and the department of administration
25 may jointly charge and collect an annual service fee for reviewing and acting upon

1 urban storm water loan program applications and servicing financial assistance
2 agreements. The fee shall be in addition to interest payments at the rate under sub.
3 (11). The department and the department of administration shall specify any fee in
4 the biennial finance plan and shall design the fee to cover the costs of reviewing and
5 acting upon urban storm water loan program applications and servicing financial
6 assistance agreements.

7 **(12) DUTIES OF THE DEPARTMENT.** The department shall do all of the following:

8 (a) Promulgate rules establishing eligibility criteria for applicants and projects
9 under this section.

10 (b) Promulgate rules that are necessary for the execution of its responsibilities
11 under the urban storm water loan program.

12 (c) Cooperate with the department of administration in administering the
13 urban storm water loan program.

14 (d) By May 1 of each even-numbered year, prepare and submit to the
15 department of administration a biennial needs list that includes all of the following
16 information:

17 1. A list of urban storm water projects that the department estimates will apply
18 for financial assistance under the urban storm water loan program during the next
19 biennium.

20 2. The estimated cost and estimated construction schedule of each project on
21 the list, and the total of the estimated costs of all projects on the list.

22 3. The estimated rank of each project on the priority list under sub. (6).

23 (e) Submit a biennial budget request under s. 16.42 for the urban storm water
24 loan program.

1 (f) Have the lead state role with the federal environmental protection agency
2 concerning the urban storm water loan program.

3 (g) Have the lead state role with local governmental units in providing urban
4 storm water loan program information, and cooperate with the department of
5 administration in providing that information to local governmental units.

6 (h) Inspect periodically urban storm water loan program project construction
7 to determine project compliance with construction plans and specifications approved
8 by the department and the requirements of the urban storm water loan program.

9 **SECTION 2513.** 281.60 (1) (a) of the statutes is amended to read:

10 281.60 (1) (a) “Eligible applicant” means a political subdivision, a
11 redevelopment authority created under s. 66.431 or a housing authority.

12 **SECTION 2514.** 281.60 (1) (c) of the statutes is repealed.

13 **SECTION 2515.** 281.60 (2) of the statutes is amended to read:

14 281.60 (2) GENERAL. The department and the department of administration
15 may administer a program to provide financial assistance to eligible applicants for
16 projects to remedy environmental contamination of sites or facilities at which
17 environmental contamination has affected groundwater or surface water or
18 threatens to affect groundwater or surface water. The department and the
19 department of administration may provide financial assistance under this section to
20 an eligible applicant only if the eligible applicant owns the contaminated site or
21 facility or, if the applicant is a political subdivision, if a redevelopment authority or
22 a housing authority owns the contaminated site or facility. The department and the
23 department of administration may not provide financial assistance under this
24 section to remedy environmental contamination at a site or facility that is not a
25 landfill if the eligible applicant caused the environmental contamination.

1 **SECTION 2516.** 281.60 (2r) (a) of the statutes is amended to read:

2 281.60 **(2r)** (a) Making loans below the market interest rate for projects
3 described in sub. (2).

4 **SECTION 2517.** 281.60 (7) (c) of the statutes is amended to read:

5 281.60 **(7)** (c) The department of administration determines that the eligible
6 applicant will meet the requirements of s. 281.59 (9) ~~(b)~~.

7 **SECTION 2518.** 281.60 (8s) of the statutes is created to read:

8 281.60 **(8s)** LIMITATION ON FINANCIAL ASSISTANCE. The amount of a payment
9 under sub. (2r) (d) may not exceed the amount of subsidy necessary to reduce the
10 interest rate on the loan from market rate to the interest rate that would have been
11 charged on a loan to the political subdivision under sub. (2r) (a).

12 **SECTION 2519.** 281.60 (11) of the statutes is amended to read:

13 281.60 **(11)** LOAN INTEREST RATES. The department and the department of
14 administration may not charge interest rate on a land recycling loan program loan
15 ~~shall be 55% of market interest rate.~~

16 **SECTION 2520.** 281.60 (11m) of the statutes is amended to read:

17 281.60 **(11m)** SERVICE FEE. The department and the department of
18 administration shall jointly charge and collect an annual service fee for reviewing
19 and acting upon land recycling loan program applications and servicing financial
20 assistance agreements. ~~The fee shall be in addition to interest payments at the rate~~
21 ~~under sub. (11).~~ For the 1997–99 fiscal biennium, the service fee shall be 0.5% of the
22 loan balance. Fee amounts for later biennia shall be established in the biennial
23 finance plan under s. 281.59 (3) (a) 8. The department and the department of
24 administration shall specify in the biennial finance plan a fee designed to cover the

1 costs of reviewing and acting upon land recycling loan program applications and
2 servicing financial assistance agreements.

3 **SECTION 2521.** 281.61 (8s) of the statutes is created to read:

4 281.61 **(8s)** LIMITATION ON FINANCIAL ASSISTANCE. The amount of a payment
5 under sub. (2r) (d) may not exceed the amount of subsidy necessary to reduce the
6 interest rate on the loan from market rate to the interest rate that would have been
7 charged on a loan to the local governmental unit under sub. (2r) (a).

8 **SECTION 2521e.** 281.65 (1) (d) of the statutes is amended to read:

9 281.65 **(1)** (d) Focus limited technical and financial resources in critical
10 geographic locations ~~through the selection of priority lakes and priority watersheds~~
11 where nonpoint source related water quality problems and threats are the most
12 severe and control is most feasible.

13 **SECTION 2521f.** 281.65 (4) (f) of the statutes is amended to read:

14 281.65 **(4)** (f) Administer the distribution of grants and aids to governmental
15 units for local administration and implementation of the program under this section.
16 A grant awarded under this section may be used for ~~technical assistance, educational~~
17 ~~and training assistance, ordinance development and administration,~~ cost-sharing
18 for management practices and capital improvements, ~~plan preparation under par.~~
19 ~~(g),~~ easements or other activities determined by the department to satisfy the
20 requirements of this section. A grant may not be used for promotional items, except
21 for promotional items that are used for informational purposes, such as brochures
22 or videos.

23 **SECTION 2521g.** 281.65 (4) (g) (intro.) of the statutes is amended to read:

24 281.65 **(4)** (g) (intro.) In cooperation with the department of agriculture, trade
25 and consumer protection and the appropriate governmental unit, prepare priority

1 watershed and priority lakes plans to implement nonpoint source water pollution
2 abatement projects ~~and storm water control activities described in sub. (8c)~~ in
3 priority watersheds and priority lake areas. In preparing the plans, the department
4 shall:

5 **SECTION 2521i.** 281.65 (4) (j) of the statutes is repealed.

6 **SECTION 2521k.** 281.65 (4) (pm) of the statutes is amended to read:

7 281.65 (4) (pm) Jointly with the department of agriculture, trade and consumer
8 protection, develop the forms required and implement the process under s. 92.14
9 (14).

10 **SECTION 2521m.** 281.65 (4) (t) of the statutes is repealed.

11 **SECTION 2521n.** 281.65 (4c) (a) of the statutes is amended to read:

12 281.65 (4c) (a) ~~Beginning on July 1, 1998, a~~ A governmental unit may request
13 funding under this subsection for a project that is in a priority watershed project, a
14 or priority lake project area or a ~~nonpoint source water pollution abatement~~ project
15 that is not in a priority watershed or a priority lake area by submitting an application
16 to the ~~board~~ department. An application shall be submitted before July 15 to be
17 considered for initial funding in the following year.

18 **SECTION 2521ne.** 281.65 (4c) (ae) of the statutes is created to read:

19 281.65 (4c) (ae) The department shall administer this subsection in a manner
20 that promotes the accelerated implementation of nonpoint source water pollution
21 control that cannot be conducted with funding under s. 92.14 in target areas
22 described in par. (am) 1. that are of the highest priority.

23 **SECTION 2521nm.** 281.65 (4c) (am) of the statutes is created to read:

24 281.65 (4c) (am) The department may select a project for funding under this
25 subsection only if all of the following apply:

1 1. The project will implement nonpoint source pollution control in an area that
2 is a target area based on any of the following:

3 a. The need for compliance with performance standards established by the
4 department under s. 281.16 (2).

5 b. The existence of impaired water bodies that the department has identified
6 to the federal environmental protection agency under 33 USC 1313 (d) (1) (A).

7 c. The existence of outstanding or exceptional resource waters, as designated
8 by the department under s. 281.15.

9 d. The existence of threats to public health.

10 e. The existence of an animal feeding operation that has received a notice of
11 discharge under ch. 283 or a notice of intent to issue a notice of discharge.

12 f. Other water quality concerns of national or statewide importance.

13 2. The project cannot be conducted with funding provided under s. 92.14.

14 3. The project is consistent with priorities identified by the department on a
15 watershed or other geographic basis.

16 4. The project is consistent with approved land and water resource
17 management plans under s. 92.10.

18 5. The application for the project specifies the watershed, subwatershed or
19 specific site that will be served by the project.

20 **SECTION 2521np.** 281.65 (4c) (b) of the statutes is amended to read:

21 281.65 (4c) (b) The department, ~~in consultation with the department of~~
22 ~~agriculture, trade and consumer protection,~~ shall use the system approved under
23 par. (e) (d) to determine the score of each project for which the board it receives an
24 application under par. (a) and shall inform the land and water conservation board
25 of the scores no later than September 1 of each year.

1 **SECTION 2521nr.** 281.65 (4c) (c) of the statutes is amended to read:

2 281.65 **(4c)** (c) After receiving ~~determining~~ project scores under par. (b) and
3 ~~before, the department shall notify the land and water conservation board of the~~
4 ~~projects that the department proposes to select for funding in the following year. The~~
5 ~~board shall review the proposal and make recommendations to the department.~~
6 ~~Before~~ November 1 of each year, the ~~board~~ department shall select projects for
7 funding under this ~~section~~ subsection in the following year. To the extent practicable,
8 within the requirements of this section, the ~~board~~ department shall select projects
9 so that projects are distributed evenly around this state.

10 **SECTION 2521nt.** 281.65 (4c) (d) (intro.) of the statutes is amended to read:

11 281.65 **(4c)** (d) (intro.) ~~No later than April 1, 1998, the~~ The department, ~~in~~
12 ~~consultation with the department of agriculture, trade and consumer protection,~~
13 ~~shall propose to the board~~ adopt a scoring system for ranking nonpoint source water
14 pollution abatement projects for which applications are submitted under par. (a).
15 The criteria on which the scoring system is based shall include all of the following:

16 **SECTION 2521nv.** 281.65 (4c) (e) of the statutes is repealed.

17 **SECTION 2521p.** 281.65 (4c) (f) of the statutes is created to read:

18 281.65 **(4c)** (f) A project funded under this subsection may be conducted over
19 a period of one to 3 years, except that the department may approve an extension for
20 one year.

21 **SECTION 2521q.** 281.65 (4e) of the statutes is repealed.

22 **SECTION 2524m.** 281.65 (8) (e) of the statutes is amended to read:

23 281.65 **(8)** (e) ~~Except as provided in sub. (8c), grants~~ Grants may only be used
24 for implementing best management practices. Grants for implementing best
25 management practices may only be used for implementing cost-effective best

1 management practices specified under sub. (4) (e) unless an applicant demonstrates
2 that the use of a cost-effective best management practice will not contribute to water
3 quality improvement or will cause a water body to continue to be impaired as
4 identified to the federal environmental protection agency under 33 USC 1313 (d) (1)
5 (A).

6 **SECTION 2524s.** 281.65 (8) (k) of the statutes is repealed.

7 **SECTION 2525.** 281.65 (8) (L) of the statutes is amended to read:

8 281.65 (8) (L) A grant may not be made to an individual if the department
9 receives a certification under s. 49.855 (7) that the individual is delinquent in child
10 support or maintenance payments or owes past support, medical expenses or birth
11 expenses whose name appears on the statewide support lien docket under s. 49.854
12 (2) (b), unless the individual provides to the department a payment agreement that
13 has been approved by the county child support agency under s. 59.53 (5) and that is
14 consistent with rules promulgated under s. 49.858 (2) (a).

15 **SECTION 2525e.** 281.65 (8c) of the statutes is repealed.

16 **SECTION 2525f.** 281.65 (8d) of the statutes is renumbered 281.66 (6) and
17 amended to read:

18 281.66 (6) GRANTS FOR CAMPUSES. The Notwithstanding subs. (3) and (4), the
19 department may distribute a grant to the board of regents of the University of
20 Wisconsin System for practices, techniques or measures to control storm water
21 discharges on a University of Wisconsin System campus that is located in a
22 municipality that is required to obtain a permit under s. 283.33 and that is located
23 in a priority watershed area, as defined in s. 281.65 (2) (c), a priority lake area, as
24 defined in s. 281.65 (2) (bs), or an area that is identified as an area of concern by the

1 International Joint Commission, as defined in s. 281.35 (1) (h), under the Great
2 Lakes Water Quality Agreement.

3 **SECTION 2525g.** 281.66 of the statutes is created to read:

4 **281.66 Urban nonpoint source water pollution abatement and storm**
5 **water management program. (1) DEFINITIONS.** In this section:

6 (a) “Governmental unit” has the meaning given in s. 281.65 (2) (am).

7 (b) “Nonpoint source” has the meaning given in s. 281.65 (2) (b).

8 (c) “Population” means population shown by the last federal census or by any
9 subsequent population estimate under s. 16.96.

10 (d) “Structural urban best management practices” has the meaning given in s.
11 281.65 (2) (d).

12 (e) “Urban area” means any of the following:

13 1. An area with a population of 1,000 or more per square mile.

14 2. An area in which the land is used for industrial or commercial land uses.

15 3. An area that is surrounded by an area described in subd. 1. or 2.

16 **(2) ADMINISTRATION.** The department shall administer the program under this
17 section in a manner that promotes all of the following:

18 (a) Management of urban storm water and runoff from existing and developing
19 urban areas to achieve water quality standards, to minimize flooding and to protect
20 groundwater.

21 (b) Coordination of urban nonpoint source management activities and the
22 municipal storm sewer discharge permit program under s. 283.33.

23 (c) Implementation of nonpoint source performance standards under s. 281.16
24 (2).

1 **(3) ELIGIBILITY.** (a) The department may provide a cost-sharing grant for a
2 project under this section only if all of the following apply:

3 1. The project is in an urban area.

4 2. The governmental unit with jurisdiction over the project area ensures
5 adequate implementation of construction site pollution control, and of storm water
6 management after development, for development and redevelopment of sites of one
7 or more acres.

8 3. The project is consistent with nonpoint source performance standards under
9 s. 281.16 (2).

10 4. The project is consistent with priorities identified by the department on a
11 watershed or other geographic basis.

12 5. The application for the project specifies the watershed, subwatershed or
13 specific site that will be served by the project.

14 (b) The department may provide financial assistance under this section for a
15 project in a governmental unit either to that governmental unit or to another
16 governmental unit that is required to control storm water discharges under s. 283.33.

17 **(4) FINANCIAL ASSISTANCE.** (a) The department may provide local assistance
18 grants and cost-sharing grants under this section. A local assistance grant may not
19 exceed 70% of eligible costs. A cost-sharing grant may not exceed 50% of eligible
20 costs.

21 (b) The department may award a local assistance grant for any of the following:

22 1. Storm water management for urban areas and for areas that are expected
23 to become urban areas within 20 years.

24 2. Informational and educational activities related to nonpoint source water
25 pollution control, construction site erosion control or storm water management.

1 3. Development, administration and enforcement of a construction site erosion
2 control or storm water management ordinance.

3 4. Training of staff concerning nonpoint source water pollution control,
4 construction site erosion control or storm water management.

5 5. Other activities identified by the department by rule.

6 (c) The department may award a cost-sharing grant for any of the following
7 types of projects:

8 1. Structural urban best management practices, including necessary land
9 acquisition, storm sewer rerouting and removal of structures, and associated flood
10 management, except that the department may not award a grant for structural
11 urban best management practices associated with new construction or new
12 development.

13 2. Stream bank or shoreland stabilization necessary to control pollution.

14 3. Other nonpoint source water pollution abatement or storm water
15 management practices identified by the department by rule.

16 **(5) SCORING SYSTEM.** The department shall use a scoring system for ranking
17 nonpoint source water pollution abatement and storm water management projects
18 for which applications are submitted under this section. The criteria on which the
19 scoring system is based shall include all of the following:

20 (a) The extent to which the application proposes to use the cost-effective and
21 appropriate practices to achieve water quality goals.

22 (b) The existence in the project area of an impaired water body that the
23 department has identified to the federal environmental protection agency under 33
24 USC 1313 (d) (1) (A).

1 (c) The extent to which the project will result in the attainment of established
2 water quality objectives.

3 (d) The local interest in and commitment to the project.

4 (e) The inclusion of a strategy to evaluate the progress toward reaching project
5 goals, including the monitoring of water quality improvements resulting from
6 project activities.

7 (f). The extent to which the application proposes to use available federal
8 funding.

9 (g). The extent to which the project is necessary to enable the city of Racine to
10 control storm water discharges as required under 33 USC 1342 (p).

11 **SECTION 2525r.** 281.665 of the statutes is created to read:

12 **281.665 Municipal flood control and riparian restoration program. (1)**

13 DEFINITIONS. In this section:

14 (a) “Conservation easement” has the meaning given in s. 700.40 (1) (a).

15 (b) “Local governmental unit” means a city, village, town or metropolitan
16 sewerage district.

17 **(2) ADMINISTRATION.** The department shall administer the program under this
18 section to provide financial assistance to local governmental units for facilities and
19 structures for the collection and transmission of storm water and groundwater,
20 including the purchase of perpetual flowage and conservation easement rights on
21 land within floodways, and for the floodproofing of public and private structures that
22 remain in the 100-year floodplain.

23 **(3) ELIGIBLE APPLICANTS.** (a) The department may provide a cost-sharing grant
24 for a project that affects 2 or more local governmental units to one of the following:

1 1. One of the affected local governmental units upon application by all of the
2 affected local governmental units.

3 2. A local governmental unit that has jurisdiction over the provision of storm
4 water collection facilities for all of the affected local governmental units.

5 (c) The department may provide a cost-sharing grant for a project that affects
6 one local governmental unit to that local governmental unit.

7 **(4) FINANCIAL ASSISTANCE.** (a) The department may provide local assistance
8 grants and cost-sharing grants under this section. A local assistance grant may not
9 exceed 70% of eligible costs, including planning and design costs. A cost-sharing
10 grant may not exceed 70% of eligible costs for construction and real estate
11 acquisition.

12 (b) In any fiscal year, the department may not provide to any applicant more
13 than 20% of the funding available under this section in the fiscal year.

14 **(5) ELIGIBILITY AND SCORING CRITERIA.** (a) The department shall promulgate
15 rules specifying eligibility criteria for projects under this section and for determining
16 which eligible projects will receive financial assistance under this section.

17 (b) The department may not provide a cost-sharing grant for a project under
18 this section if any of the following applies:

19 1. The project would transfer flooding downstream.

20 2. The project provides for the channelization of a stream or for lining a natural
21 stream bed with concrete.

22 3. The project would accelerate upstream runoff.

23 (c) The department shall include all of the following in the criteria for
24 determining which eligible projects will receive cost-sharing grants under this
25 section:

1 1. The extent to which a project minimizes harm to existing beneficial functions
2 of water bodies and wetlands.

3 2. The extent to which a project maintains aquatic and riparian environments.

4 3. The extent to which a project uses storm water retention and detention
5 structures and natural storage.

6 4. The extent to which a project provides opportunity for public access to water
7 bodies and to the floodway.

8 **SECTION 2526.** 281.68 (1) (intro.) of the statutes is amended to read:

9 281.68 (1) DEFINITIONS. (intro.) In this section, “qualified:

10 (b) “Qualified lake association” means a group incorporated under ch. 181 that
11 meets all of the following conditions:

12 **SECTION 2527.** 281.68 (1) (a) to (h) of the statutes are renumbered 281.68 (1)

13 (b) 1. to 8.

14 **SECTION 2528.** 281.68 (1) (ag) of the statutes is created to read:

15 281.68 (1) (ag) “Lake” includes a flowage.

16 **SECTION 2529.** 281.68 (1m) of the statutes is amended to read:

17 281.68 (1m) PURPOSES OF GRANTS. The department shall develop and
18 administer a financial assistance program to provide lake management planning
19 grants for projects to provide information and education on the use of lakes and
20 natural lake ecosystems and on the quality of water in lakes, including mill ponds,
21 ~~in order to~~ and the quality of natural lake ecosystems.

22 **(1r) USES OF GRANTS.** Lake management planning grants shall be used to
23 improve water quality assessment and planning and to aid in the selection of
24 activities to abate do any of the following:

1 (a) Prevent pollution of from entering into lakes or into natural lake
2 ecosystems.

3 **SECTION 2530.** 281.68 (1r) (b) of the statutes is created to read:

4 281.68 **(1r)** (b) Protect or improve the quality of water in lakes or the quality
5 of natural lake ecosystems.

6 **SECTION 2531.** 281.68 (2) (title) of the statutes is created to read:

7 281.68 **(2)** (title) AMOUNT OF GRANTS.

8 **SECTION 2532.** 281.68 (3) (title) of the statutes is created to read:

9 281.68 **(3)** (title) RULES FOR GRANTS.

10 **SECTION 2533.** 281.68 (3) (b) of the statutes is renumbered 281.68 (3) (b) (intro.)
11 and amended to read:

12 281.68 **(3)** (b) (intro.) Eligible activities, which shall include data all of the
13 following for lakes and natural lake ecosystems:

14 ~~1. Data collection, water quality assessment and nonpoint.~~

15 ~~4. Nonpoint source pollution evaluation.~~

16 **SECTION 2534.** 281.68 (3) (b) 2. of the statutes is created to read:

17 281.68 **(3)** (b) 2. Assessments of water quality and of fish and aquatic life and
18 their habitat.

19 **SECTION 2535.** 281.68 (3) (b) 3. of the statutes is created to read:

20 281.68 **(3)** (b) 3. Assessments of the uses of a lake and the uses of the land
21 surrounding the lake.

22 **SECTION 2536.** 281.68 (3) (b) 5. of the statutes is created to read:

23 281.68 **(3)** (b) 5. Informational or educational programs and materials.

24 **SECTION 2537.** 281.68 (4) (title) of the statutes is created to read:

25 281.68 **(4)** (title) ELIGIBILITY FOR LAKE MANAGEMENT PLANNING GRANTS.

1 **SECTION 2538.** 281.69 (title) of the statutes is amended to read:

2 **281.69 (title) Lake management and classification grants and**
3 **contracts.**

4 **SECTION 2539.** 281.69 (1) (intro.) of the statutes is renumbered 281.69 (1m)
5 (intro.) and amended to read:

6 **281.69 (1m) TYPES OF PROJECTS.** (intro.) The department shall develop and
7 administer a financial assistance program to provide grants for the following ~~3~~ 2
8 types of projects:

9 **SECTION 2540.** 281.69 (1) (a) of the statutes is renumbered 281.69 (1m) (a) and
10 amended to read:

11 **281.69 (1m) (a)** Lake management projects that will improve or protect the
12 quality of water in lakes or the quality of natural lake ecosystems ~~of lakes.~~

13 **SECTION 2541.** 281.69 (1) (b) of the statutes is renumbered 281.69 (1m) (b).

14 **SECTION 2542.** 281.69 (1) (c) of the statutes is renumbered 281.69 (1r) and
15 amended to read:

16 **281.69 (1r) CONTRACTS.** ~~Lake~~ The department may award contracts for lake
17 classification technical assistance projects to be conducted by nonprofit corporations
18 that will provide educational and technical assistance.

19 **SECTION 2543.** 281.69 (1b) of the statutes is created to read:

20 **281.69 (1b) DEFINITION.** In this section, “lake” includes a flowage.

21 **SECTION 2544.** 281.69 (2) (title) of the statutes is amended to read:

22 **281.69 (2) (title) AMOUNTS OF GRANTS AND CONTRACTS.**

23 **SECTION 2545.** 281.69 (2) (c) of the statutes is amended to read:

24 **281.69 (2) (c)** A grant contract for a lake classification technical assistance
25 project may not exceed \$200,000.

1 **SECTION 2546.** 281.69 (3) (a) of the statutes is amended to read:

2 281.69 **(3)** (a) A designation of eligible recipients, which shall include nonprofit
3 conservation organizations, as defined in s. 23.0955 (1), counties, cities, towns,
4 villages, qualified lake associations, as defined in s. 281.68 (1) (b), town sanitary
5 districts, public inland lake protection and rehabilitation districts and other local
6 governmental units, as defined in s. 66.299 (1) (a), that are established for the
7 purpose of lake management.

8 **SECTION 2547.** 281.69 (3) (b) 1. of the statutes is amended to read:

9 281.69 **(3)** (b) 1. The purchase of land or of a conservation easement, as defined
10 in s. 700.40 (1) (a), if the eligible recipient enters into a contract under ~~sub. (4) s.~~
11 281.71 and if the purchase will substantially contribute to the protection or
12 improvement of a lake's water quality or its natural ecosystem.

13 **SECTION 2548.** 281.69 (4) of the statutes is renumbered 281.71, and 281.71
14 (title), (1) (intro.) and (d), (2) (intro.) and (b), (3) and (5), as renumbered, are amended
15 to read:

16 **281.71** (title) **Lake management project grants; river protection grants;**
17 **purchases.** **(1)** (intro.) In order to receive a grant for a purchase under ~~sub. s. 281.69~~
18 **(3) (b) 1. or 281.70 (5) (c) 1.**, the recipient shall enter into a contract with the
19 department that contains all of the following provisions:

20 (d) A clause that any subsequent sale or transfer of the property to be acquired
21 is subject to ~~pars. (b) and (c) subs. (2) and (3).~~

22 **(2)** (intro.) The recipient of the grant used for a purchase under ~~sub. s. 281.69~~
23 **(3) (b) 1. or 281.70 (5) (c) 1.** may subsequently sell or transfer the acquired property
24 to a 3rd party other than a creditor of the recipient if all of the following apply:

1 (b) The party to whom the property is sold or transferred enters into a new
2 contract with the department that contains the provisions under ~~par. (a) sub. (1)~~.

3 (3) The recipient of the grant used for a purchase under ~~sub. s. 281.69~~ (3) (b)
4 1. or 281.70 (5) (c) 1. may subsequently sell or transfer the acquired property to
5 satisfy a debt or other obligation if the department approves the sale or transfer.

6 (5) The instrument conveying the property to the recipient shall state the
7 interest of the state under ~~par. (d) sub. (4)~~. The contract entered into under ~~par. (a)~~
8 sub. (1) and the instrument of conveyance shall be recorded in the office of the
9 register of deeds of each county in which the property is located.

10 **SECTION 2549.** 281.69 (6) (a) of the statutes is repealed.

11 **SECTION 2550.** 281.69 (6) (b) of the statutes is renumbered 281.69 (6) and
12 amended to read:

13 281.69 (6) LAKE CLASSIFICATION TECHNICAL ASSISTANCE GRANTS CONTRACTS. A
14 nonprofit corporation receiving a lake classification technical assistance ~~grant~~
15 contract shall provide educational and technical assistance to local units of
16 government and lake management organizations that will participate in a lake
17 classification project.

18 **SECTION 2551.** 281.70 of the statutes is created to read:

19 **281.70 River protection grants. (1) DEFINITION.** In this section, “river”
20 includes a stream or a flowage.

21 (2) TYPES OF PROJECTS. The department shall develop and administer a
22 financial assistance program to provide grants for planning projects and
23 management projects.

24 (3) AMOUNTS OF GRANTS. (a) A grant for a planning project may be made for up
25 to 75% of the cost of the project but may not exceed \$10,000 per grant.

1 (b) A grant for a management project may be made for up to 75% of the cost of
2 the project but may not exceed \$50,000 per grant.

3 **(4) ELIGIBLE RECIPIENTS.** (a) All of the following shall be eligible for grants
4 under this section:

5 1. Local governmental units, as defined in s. 66.299 (1) (a).

6 2. River management organizations that meet the qualifications under par. (b).

7 3. Nonprofit conservation organizations, as defined in s. 23.0955 (1).

8 (b) The department shall promulgate rules to establish the qualifications that
9 a river management organization must meet to qualify for a grant under this section.

10 **(5) ELIGIBLE ACTIVITIES.** The department shall promulgate rules to do all of the
11 following:

12 (a) Designate activities that are eligible for grants for planning projects.

13 Eligible activities under the rules for these grants shall include all of the following:

14 1. Data collection.

15 2. Assessments of water quality and of fish and aquatic life and their habitat.

16 3. Assessments of the uses of a river and the uses of the land surrounding the
17 river.

18 4. Nonpoint source pollution evaluation.

19 5. Informational or educational programs and materials as specified in par. (b).

20 6. Programs and materials to assist persons in forming river management
21 organizations or other groups to protect or improve rivers and natural riverine
22 ecosystems.

23 (b) For purposes of par. (a) 5., specify informational or educational materials
24 that may be provided on any of the following:

25 1. Protecting or improving the ways in which rivers are used.

- 1 2. Protecting or improving the quality of water in rivers.
- 2 3. Protecting or improving the quality of natural riverine ecosystems.
- 3 4. Protecting or improving fish populations, aquatic life or fish habitat in rivers.
- 4 (c) Designate activities that are eligible for grants for management projects.

5 Eligible activities under the rules for these grants shall include all of the following:

- 6 1. The purchase of land or of a conservation easement, as defined in s. 700.40
- 7 (1) (a) if the recipient enters into a contract under s. 281.71 and if the purchase will
- 8 substantially contribute to the protection or improvement of the river's water quality
- 9 or its natural ecosystem.
- 10 2. The restoration of in-stream or shoreline habitat.
- 11 3. The development of local regulations or ordinances that will protect or
- 12 improve the river's water quality or its natural ecosystem.
- 13 4. An activity that is approved by the department and that is needed to
- 14 implement a recommendation made as a result of a plan to protect or improve the
- 15 river's water quality or its natural ecosystem.
- 16 5. Installation of pollution control practices.

17 **(6) ELIGIBILITY; TYPES OF RIVERS.** The department shall promulgate rules

18 establishing the types of natural riverine ecosystems that are eligible for grants

19 under this section.

20 **(7) ELIGIBILITY; OTHER.** At the completion of a planning project, upon request

21 of the recipient of the grant for the planning project, the department may approve

22 as eligible activities for a management project grant the recommendations that were

23 made as a result of the project.

24 **SECTION 2551m.** 281.72 of the statutes is created to read:

281.72 River protection; contracts with nonprofit organizations. (1)

1 **281.72 River protection; contracts with nonprofit organizations. (1)**
2 DEFINITION. In this section, “nonprofit conservation organization” means a river
3 management organization that meets the qualifications under s. 281.70 (4) (b) or a
4 nonprofit corporation, a charitable trust or other nonprofit association whose
5 purposes include the protection of rivers and that is described in section 501 (c) (3)
6 of the Internal Revenue Code and is exempt from federal income tax under section
7 501 (a) of the Internal Revenue Code.

8 **(2) REQUIREMENTS TO RECEIVE CONTRACTS.** The department shall provide
9 contracts to nonstock, nonprofit corporations that are described under section 501
10 (c) (3) or (4) of the Internal Revenue Code and that are organized in this state. For
11 a nonstock, profit corporation to qualify for a contract, the corporation shall meet all
12 of the following requirements:

13 (a) The corporation is exempt from taxation under section 501 (a) of the
14 Internal Revenue Code.

15 (b) The corporation provides support to nonprofit conservation organizations.

16 (c) The corporation has a board of directors that has a majority of members who
17 are representatives of nonprofit conservation organizations.

18 (d) The corporation contributes, to be used with the contract, \$1 for every \$3
19 it receives under the contract.

20 **(3) REQUIREMENTS UNDER CONTRACTS.** A corporation receiving a contract under
21 this subsection shall do all of the following:

22 (a) Assist in the establishment of nonprofit conservation organizations.

23 (b). Provide technical assistance to nonprofit conservation organizations.

24 (c) Conduct conferences on topics for which technical assistance is provided
25 under par. (b).

1 **SECTION 2554.** 285.01 (40) of the statutes is amended to read:

2 285.01 **(40)** “Solid waste” means any garbage, refuse, sludge from a waste
3 treatment plant, water supply treatment plant or air pollution control facility and
4 other discarded or salvageable materials, including solid, liquid, semisolid, or
5 contained gaseous materials resulting from industrial, commercial, mining and
6 agricultural operations, and from community activities, but does not include solids
7 or dissolved material in domestic sewage, or solid or dissolved materials in irrigation
8 return flows or industrial discharges which are point sources subject to permits
9 under ch. 283, or source material, as defined in s. 254.31 (10), special nuclear
10 material, as defined in s. 254.31 (11), or by-product material, as defined in s. 254.31
11 ~~(3)~~ (1).

12 **SECTION 2554e.** 285.11 (18) of the statutes is created to read:

13 285.11 **(18)** Adopt and apply objective performance measurements, for the
14 subunit of the department that administers this chapter, relating to the issuance of
15 permits under subch. VII and to overall performance of the subunit.

16 **SECTION 2554f.** 285.17 (3) of the statutes is created to read:

17 285.17 **(3)** The department may not post on the Internet any information that
18 is required to be reported to the department under this chapter and that relates to
19 a facility’s air emissions, including the nature and duration of specific emissions of
20 an air contaminant source and any results of monitoring the emissions of a
21 contaminant source or the ambient air in the vicinity of a contaminant source, unless
22 the department certifies that the information is accurate on the date on which the
23 information is posted.

24 **SECTION 2554j.** 285.48 of the statutes is created to read:

1 **285.48 Nitrogen oxide emissions reductions. (1) DEFINITIONS.** In this
2 section:

3 (a) “Call” means a call to implement a state implementation plan that is issued
4 by the federal environmental protection agency before the effective date of this
5 paragraph [revisor inserts date], or after that date arising out of a call issued
6 before that date, including a call issued after that date pursuant to a federal court
7 order or otherwise.

8 (b) “Electric cooperative” has the meaning given in s. 76.48 (1g) (c).

9 (c) “Midcontinent area” has the meaning given in s. 16.958 (1) (e).

10 (d) “Northwestern county” means Ashland, Barron, Bayfield, Buffalo, Burnett,
11 Chippewa, Clark, Douglas, Dunn, Eau Claire, Iron, Jackson, La Crosse, Monroe,
12 Pepin, Pierce, Polk, Price, Rusk, Sawyer, St. Croix, Taylor, Trempealeau, Vernon or
13 Washburn county.

14 (e) “Other county” means a county that is not a northwestern county.

15 (f) “Public utility” has the meaning given in s. 196.01 (5).

16 (g) “State implementation plan” means a state implementation plan for control
17 of atmospheric ozone in another state.

18 (h) “Summer” means the period beginning on May 1 and ending on September
19 30 of each year.

20 **(2) APPLICABILITY.** This section applies if the department of natural resources,
21 pursuant to a call, issues a state implementation plan that requires electric
22 generating facilities in the midcontinent area of this state to comply with nitrogen
23 oxide emission reduction requirements. If the department of natural resources
24 issues such a plan, the department of natural resources shall notify the department
25 of administration and the public service commission. The notice shall specify the

1 date on which electric generating facilities in the midcontinent area of this state are
2 required to comply with the initial nitrogen oxide emission reduction requirements.

3 **(3) NITROGEN OXIDE EMISSIONS STANDARDS AND LIMITATIONS.** (a) In establishing
4 nitrogen oxide emission reduction requirements for the control of atmospheric ozone
5 in another state pursuant to a call, the department may not, in a state
6 implementation plan, by rule or through the adoption of control strategies, establish
7 nitrogen oxide emissions standards or limitations that do any of the following:

8 1. Require less than 2,234 tons, or the greater number of tons determined under
9 par. (d) 1., in total nitrogen oxide emissions each summer from all electric generating
10 facilities located in northwestern counties that are owned by electric cooperatives.

11 2. Require less than 315 tons, or the greater number of tons determined under
12 par. (d) 1., in total nitrogen oxide emissions each summer from all electric generating
13 facilities located in northwestern counties that are owned by public utilities.

14 3. Require less than 15,157 tons, or the greater number of tons determined
15 under par. (d) 1., in total nitrogen oxide emissions each summer from all electric
16 generating facilities located in other counties owned by public utilities or electric
17 cooperatives.

18 (b) The department shall issue emissions allowances in a number that is
19 sufficient to allow the emissions specified in par. (a).

20 (c) The department may not, based on this section, require reductions of
21 nitrogen oxide emissions that are in addition to any reductions required in a state
22 implementation plan from any of the following:

23 1. Any stationary source located in this state that is not an electric generating
24 facility owned by a public utility or electric cooperative.

25 2. Any mobile source.

1 (d) If the department of natural resources implements a state implementation
2 plan specified in sub. (2) in a manner that requires reductions in nitrogen oxide
3 emissions that are lower than the reductions set forth in the call published on
4 October 27, 1998, the department of natural resources shall do each of the following:

5 1. Determine the amounts by which the number of tons specified in par. (a) 1.,
6 2. and 3. shall be increased to reflect the lower reductions.

7 2. Take action that is necessary to relax any related emissions control
8 requirements in a manner that reflects the lower reductions.

9 3. Determine the amount by which the \$2,400,000 in assessments under s.
10 196.86 (2) shall be decreased to reflect the lower reductions and provide notice of the
11 decreased amount to the public service commission.

12 4. Determine the amount by which the \$2,500,000 that is transferred to the air
13 quality improvement fund under s. 16.958 (2) (a) shall be decreased to reflect the
14 lower reductions and provide notice of the decreased amount to the department of
15 administration.

16 **(4)** LOW-INCOME WEATHERIZATION AND ENERGY CONSERVATION MEASURES;
17 RENEWABLE ENERGY USES. The department shall ensure that at least 866 tons of total
18 annual reductions in nitrogen oxide emissions required under the state
19 implementation plan are achieved through any of the following:

20 (a) The use of renewable energy, including renewable energy that is provided
21 by electric providers for the purpose of complying with the requirements of s. 196.378
22 (2) (a), or renewable energy that is used under programs specified in s. 196.374 (2)
23 (d) that are funded by expenditures under s. 196.374 (3).

24 (b) The implementation of low-income weatherization and energy
25 conservation measures, including programs established under s. 16.957 (2) (a) or (b)

1 or programs specified in s. 196.374 (2) (a) or (b) that are funded by expenditures
2 under s. 196.374 (3).

3 **285.49 Trading program for nitrogen oxide emissions credits.** The
4 department shall establish or authorize air contaminant sources to participate in a
5 market-based trading program for the purchase, sale and transfer of nitrogen oxide
6 emissions credits for use in any state implementation plan under s. 285.11 (6) that
7 requires reductions in nitrogen oxide emissions. To the extent allowed under federal
8 law, the department shall allow nitrogen oxide emissions reductions by any source
9 in this state, regardless of whether the source is subject to nitrogen oxide controls
10 under a state implementation plan, to be purchased, sold or transferred under the
11 trading program.

12 **SECTION 2555n.** 285.69 (2) (a) 1. of the statutes is amended to read:

13 285.69 (2) (a) 1. That fees collected in a year before 2002 are based on actual
14 emissions of all regulated pollutants and any other air contaminant specified by the
15 department in the rules in the preceding year.

16 **SECTION 2555q.** 285.69 (2) (a) 4. of the statutes is amended to read:

17 285.69 (2) (a) 4. That the fees collected in each year after 1994 and before 2002
18 are calculated by increasing the fees collected in the preceding year by the percentage
19 by which the consumer price index, as defined in 42 USC 7661a (b) (3) (B) (v),
20 increased in the preceding year.

21 **SECTION 2555s.** 285.69 (2) (a) 5. of the statutes is amended to read:

22 285.69 (2) (a) 5. That fees are not based on emissions by an air contaminant
23 source in excess of 4,000 5,000 tons per year of each regulated pollutant, except that,
24 subject to par. (b), this limitation does not apply to a major utility, as defined in s.

1 285.41 (1) (f), that owns or operates a phase I affected unit as listed in Table A of 42
2 USC 7651c.

3 **SECTION 2555u.** 285.69 (2) (a) 7. to 11. of the statutes are created to read:

4 285.69 (2) (a) 7. That the fees billed for a stationary source in each year after
5 2001 are based on the fees billed for the stationary source in 2001.

6 8. That the fee billed for each stationary source in each year after 2001 is based
7 on the actual emissions of all regulated pollutants, and any other air contaminant
8 specified by the department in the rules, in the preceding 5 years, using a 5-year
9 rolling average.

10 9. That fees billed in years after 2001 are determined using a
11 performance-based approach that increases a stationary source's fees in proportion
12 to increases in the amount of pollutants emitted by the stationary source, as
13 determined under subd. 8., and decreases a stationary source's fees in proportion to
14 decreases in the amount of pollutants emitted by the stationary source, as
15 determined under subd. 8.

16 10. That no multiplier or similar mechanism is used that would increase a
17 stationary source's fees to compensate for decreases in overall amounts of emissions.

18 11. That no provision is used that would increase the fee per unit of pollutant
19 emitted in order to compensate for decreases in overall amounts of emissions.

20 **SECTION 2555w.** 285.69 (2) (b) of the statutes is amended to read:

21 285.69 (2) (b) The department may not charge a major utility fees on emissions
22 in excess of 4,000 5,000 tons per year of each regulated pollutant beyond the amount
23 necessary to recover the fees that would have been charged for any phase I affected
24 unit listed in Table A of 42 USC 7651c owned by that major utility if the prohibition
25 in par. (a) 6. did not exist.

1 **SECTION 2556.** 285.69 (2) (c) (intro.) of the statutes is amended to read:

2 285.69 **(2)** (c) (intro.) The fees collected under ~~par.~~ pars. (a) and (e) shall be
3 credited to the appropriations under s. 20.370 (2) (bg), (3) (bg), (8) (mg) and (9) (mh)
4 for the following:

5 **SECTION 2557c.** 285.69 (2) (e) of the statutes is created to read:

6 285.69 **(2)** (e) Beginning in 2001, the owner or operator of a stationary source
7 for which an operation permit is required shall pay to the department an annual fee
8 of \$2.86 per ton of actual emissions in the preceding year of all air contaminants on
9 which the fee under par. (a) is based.

10 **SECTION 2558.** 285.69 (3) of the statutes is amended to read:

11 285.69 **(3)** ASBESTOS INSPECTION FEES. The department may promulgate rules
12 for the payment and collection of fees for inspecting nonresidential asbestos
13 demolition and renovation projects regulated by the department. The fees under this
14 subsection may not exceed ~~\$200~~ \$210 per project. The fees collected under this
15 subsection shall be credited to the appropriation under s. 20.370 (2) (bi) for the direct
16 and indirect costs of conducting inspections of nonresidential asbestos demolition
17 and inspection projects regulated by the department.

18 **SECTION 2559.** 285.86 of the statutes is created to read:

19 **285.86 Asbestos citations. (1)** The department may follow the procedures
20 for the issuance of a citation under ss. 23.50 to 23.99 to collect a forfeiture from a
21 person who commits a violation specified under sub. (2).

22 **(2)** The department shall promulgate rules that specify violations of rules
23 relating to asbestos abatement and management that are promulgated under ss.
24 285.11, 285.13, 285.17 and 285.27 to which sub. (1) applies. In a rule promulgated
25 under this subsection, the department may limit the applicability of sub. (1) based

1 on the frequency of violation and on health and environmental risks caused by the
2 violation.

3 **(3)** The department shall submit any proposed rules under sub. (2) to the
4 department of justice. The department may not promulgate a rule under sub. (2)
5 unless the rule is approved by the department of justice.

6 **SECTION 2560.** 287.11 (2) (dm) of the statutes is repealed.

7 **SECTION 2560e.** 287.23 (3) (a) of the statutes is repealed and recreated to read:

8 287.23 **(3)** (a) Subject to par. (am), a responsible unit is eligible for assistance
9 under this section for a year before 2000 if the responsible unit has been determined
10 under s. 287.11 to have an effective recycling program.

11 **SECTION 2560f.** 287.23 (3) (ac) of the statutes is created to read:

12 287.23 **(3)** (ac) Subject to par. (am), a responsible unit is eligible for assistance
13 under this section for 2000 if the responsible unit received assistance under this
14 section for 1999 and the responsible unit has been determined under s. 287.11 to have
15 an effective recycling program.

16 **SECTION 2560g.** 287.23 (3) (ae) of the statutes is created to read:

17 287.23 **(3)** (ae) Subject to par. (am), a responsible unit is eligible for assistance
18 under this section for a year after 2000 if the responsible unit has been determined
19 under s. 287.11 to have an effective recycling program and one of the following
20 applies:

21 1. The responsible unit has a residential collection program that serves 50%
22 or more of the population of the responsible unit, that collects, at least monthly,
23 newspaper, corrugated paper, magazines, aluminum containers, steel containers,
24 containers made of polyethylene terephthalate and high-density polyethylene and
25 glass containers and that is operated by the responsible unit under a contract,

1 franchise license or ordinance that requires at least monthly collection of these
2 materials.

3 2. The responsible unit has a drop-off program, that serves more than 50% of
4 the population of the responsible unit, for collecting newspaper, corrugated paper,
5 magazines, aluminum containers, steel containers, containers made of polyethylene
6 terephthalate and high-density polyethylene and glass containers taken by
7 individuals to a drop-off site that is owned by the responsible unit or is provided
8 under a contract with another person and that is adequate in size and hours of
9 operation to meet the needs of the responsible unit.

10 **SECTION 2560h.** 287.23 (3) (ag) of the statutes is created to read:

11 287.23 (3) (ag) The department shall determine the population served by a
12 residential collection program for the purposes of par. (ae) 1. and sub. (5d) (b) based
13 on information provided by the responsible unit for the year 2 years before the year
14 for which the department is determining the responsible unit's eligibility.

15 **SECTION 2560i.** 287.23 (5) (intro.) of the statutes is amended to read:

16 287.23 (5) GRANT AWARD FOR YEARS BEFORE 2000. (intro.) The For years before
17 2000, the department shall award a grant under this subsection to each eligible
18 responsible unit that submits a complete grant application under sub. (4) for
19 expenses allowable under sub. (3) (b). Except as provided under sub. (5m) or (5p),
20 the amount of the grant under this subsection shall be determined as follows:

21 **SECTION 2562e.** 287.23 (5b) of the statutes is created to read:

22 287.23 (5b) GRANT AWARD FOR 2000. For 2000, the department shall award a
23 grant under this subsection to each eligible responsible unit that submits a complete
24 grant application under sub. (4) for expenses allowable under sub. (3) (b). The

1 department shall determine the amount of the grants under this subsection as
2 follows:

3 (a) Determine the total amount that would have been awarded under this
4 section for 1999 if no grants had been reduced under sub. (5p).

5 (b) Determine the amount that each responsible unit received under this
6 section for 1999 or, for a responsible unit that had its grant for 1999 reduced under
7 sub. (5p), the amount that the responsible unit would have received if its grant had
8 not been reduced.

9 (c) Award to a responsible unit the proportion of the total amount available for
10 grants under this section for 2000 that is equal to the proportion of the amount
11 determined under par. (a) that the responsible unit received, or would have received,
12 for 1999 as determined under par. (b).

13 **SECTION 2562m.** 287.23 (5d) of the statutes is created to read:

14 **287.23 (5d) GRANT AWARD FOR YEARS AFTER 2000.** (a) Beginning with grants for
15 the year 2001, the department shall award a grant under this subsection to each
16 eligible responsible unit that submits a complete grant application under sub. (4) for
17 expenses allowable under sub. (3) (b).

18 (b) Except as provided in par. (c) or (d) or sub. (5p), the department shall award
19 an eligible responsible unit a grant under this subsection equal to \$7.90 times the
20 population of the responsible unit if the responsible unit has a residential collection
21 program that complies with sub. (3) (ae) 1. and the department shall award an
22 eligible responsible unit a grant equal to \$4.40 times the population of the
23 responsible unit if the responsible unit has a drop-off program that complies with
24 sub. (3) (ae) 2.

1 (c) A grant to a responsible unit under this subsection may not exceed the
2 allowable expenses under sub. (3) (b) that the responsible unit incurred in the year
3 2 years before the year for which the grant is made.

4 (d) If the available funds are insufficient to pay the grant amounts determined
5 under pars. (b) and (c), the department shall prorate the available funds.

6 **SECTION 2563dt.** 287.23 (5p) (a) of the statutes is amended to read:

7 287.23 (5p) (a) If a responsible unit submits its application under sub. (4) after
8 October 1 but no later than October 10, the amount of the responsible unit's grant
9 is 95% of the amount determined under sub. (5), (5d) or (5m).

10 **SECTION 2563ed.** 287.23 (5p) (b) of the statutes is amended to read:

11 287.23 (5p) (b) If a responsible unit submits its application under sub. (4) after
12 October 10 but no later than October 20, the amount of the responsible unit's grant
13 is 90% of the amount determined under sub. (5), (5d) or (5m).

14 **SECTION 2563eh.** 287.23 (5p) (c) of the statutes is amended to read:

15 287.23 (5p) (c) If a responsible unit submits its application under sub. (4) after
16 October 20 but no later than October 30, the amount of the responsible unit's grant
17 is 75% of the amount determined under sub. (5), (5d) or (5m).

18 **SECTION 2563ep.** 287.23 (5s) of the statutes is repealed.

19 **SECTION 2563er.** 287.23 (6) of the statutes is amended to read:

20 287.23 (6) DISBURSEMENT. The department shall disburse ~~50%~~ of a grant to the
21 applicant ~~upon~~ after approval, but no later than February June 1 of the year for
22 which the grant is made.

23 **SECTION 2563et.** 287.23 (7) of the statutes is repealed.

24 **SECTION 2565c.** 287.40 (title) and (intro.) of the statutes are repealed.

25 **SECTION 2565d.** 287.40 (1) of the statutes is renumbered 560.031 (1) (a).

1 **SECTION 2565e.** 287.40 (2) of the statutes is renumbered 560.031 (1) (b).

2 **SECTION 2565f.** 287.40 (3) of the statutes is renumbered 560.031 (1) (c) and
3 amended to read:

4 560.031 (1) (c) “Recovered material” means a material ~~specified by the board~~
5 ~~under s. 287.42 (5)~~ that is recovered from solid waste for recycling.

6 **SECTION 2565g.** 287.40 (4) of the statutes is renumbered 560.031 (1) (e) and
7 amended to read:

8 560.031 (1) (e) “Waste generator” means a person who generates solid waste
9 ~~that contains a material specified by the board under s. 287.42 (5)~~ or a responsible
10 unit.

11 **SECTION 2565h.** 287.41 of the statutes is repealed.

12 **SECTION 2565i.** 287.42 of the statutes is repealed.

13 **SECTION 2565j.** 287.44 of the statutes is repealed.

14 **SECTION 2565k.** 287.46 of the statutes is repealed.

15 **SECTION 2565L.** 287.48 of the statutes is repealed.

16 **SECTION 2568.** 289.01 (33) of the statutes is amended to read:

17 289.01 (33) “Solid waste” means any garbage, refuse, sludge from a waste
18 treatment plant, water supply treatment plant or air pollution control facility and
19 other discarded or salvageable materials, including solid, liquid, semisolid, or
20 contained gaseous materials resulting from industrial, commercial, mining and
21 agricultural operations, and from community activities, but does not include solids
22 or dissolved material in domestic sewage, or solid or dissolved materials in irrigation
23 return flows or industrial discharges which are point sources subject to permits
24 under ch. 283, or source material, as defined in s. 254.31 (10), special nuclear

1 material, as defined in s. 254.31 (11), or by-product material, as defined in s. 254.31
2 ~~(3)~~ (1).

3 **SECTION 2569h.** 289.54 of the statutes is created to read:

4 **289.54 Disposal of certain dredged materials. (1)** In this section, “PCBs”
5 has the meaning given in s. 299.45 (1) (a).

6 **(2)** The department may not approve a request by the operator of a solid waste
7 disposal facility to accept dredged materials that contain PCBs or heavy metals in
8 a concentration of less than 50 parts per million for disposal in the solid waste
9 disposal facility until after the department holds a public meeting in the city, village
10 or town in which the solid waste disposal facility is located. At the public meeting,
11 the department shall describe the nature of the requested disposal and shall solicit
12 public comment.

13 **SECTION 2569k.** 289.645 of the statutes is created to read:

14 **289.645 Recycling fee. (1)** IMPOSITION OF RECYCLING FEE ON GENERATORS.
15 Except as provided under sub. (4), a generator of solid waste or hazardous waste shall
16 pay a recycling fee for each ton or equivalent volume of solid waste or hazardous
17 waste that is disposed of at a licensed solid waste or hazardous waste disposal
18 facility. If a person arranges for collection or disposal services on behalf of one or
19 more generators, that person shall pay the recycling fee to the licensed solid waste
20 or hazardous waste disposal facility or to any intermediate hauler used to transfer
21 wastes from collection points to a licensed facility. An intermediate hauler who
22 receives the recycling fee under this subsection shall pay the fee to the licensed solid
23 waste or hazardous waste disposal facility. Tonnage or equivalent volume shall be
24 calculated in the same manner as the calculation made for tonnage fees under s.
25 289.62 (1).

1 **(2) COLLECTION.** The owner or operator of a licensed solid waste or hazardous
2 waste disposal facility shall collect the recycling fee from the generator, a person who
3 arranges for disposal on behalf of one or more generators or an intermediate hauler
4 and shall pay to the department the amount of the fee required to be collected
5 according to the amount of solid waste or hazardous waste received and disposed of
6 at the facility during the preceding reporting period.

7 **(3) AMOUNT OF RECYCLING FEE.** The fee imposed under this section is as follows:

8 (a) For all solid waste other than high-volume industrial waste, \$2 per ton.

9 (b) For all high-volume industrial waste, 30 cents per ton.

10 **(4) EXEMPTIONS FROM RECYCLING FEE.** (a) Solid waste materials approved by the
11 department for lining, daily cover or capping or for constructing berms, dikes or
12 roads within a solid waste disposal facility are not subject to the recycling fee
13 imposed under sub. (1), except that materials approved for use under s. 289.30 (5)
14 or 289.31 (9) are subject to the fee.

15 (b) Except as provided in par. (c), the recycling fee does not apply to waste
16 generated by an organization described in section 501 (c) (3) of the Internal Revenue
17 Code that is exempt from federal income tax under section 501 (a) of the Internal
18 Revenue Code, that derives a portion of its income from the operation of recycling and
19 reuse programs and that does one of the following:

20 1. Provides services and programs for people with disabilities.

21 2. Primarily serves low-income persons.

22 (c) Waste generated by an organization described in par. (b) which is
23 commingled with waste generated by a person other than an organization described
24 in par. (b) is subject to the fee.

1 **(5) PAYMENT.** The owner or operator of any licensed solid or hazardous waste
2 disposal facility shall pay the recycling fee required to be collected under sub. (2) as
3 follows:

4 (a) For waste disposed of from January 1 to March 31, no later than May 1.

5 (b) For waste disposed of from April 1 to June 30, no later than August 1.

6 (c) For waste disposed of from July 1 to September 30, no later than November
7 1.

8 (d) For waste disposed of from October 1 to December 31, no later than
9 February 1.

10 **(6) USE OF RECYCLING FEES.** The fees collected under sub. (2) shall be deposited
11 in the recycling fund.

12 **(7) FAILURE TO PAY RECYCLING FEE.** (a) If a person required under sub. (1) to pay
13 the recycling fee to a licensed solid waste or hazardous waste disposal facility fails
14 to pay the fee, the owner or operator of the licensed solid waste or hazardous waste
15 disposal facility shall submit to the department with the payment required under
16 sub. (2) an affidavit stating facts sufficient to show the person's failure to comply with
17 sub. (1).

18 (b) If the person named in the affidavit under par. (a) is a generator or a person
19 who arranges for collection or disposal services on behalf of one or more generators
20 and the person holds a license for the collection and transportation of solid waste or
21 hazardous waste, the department shall immediately notify the person that the
22 license will be suspended 30 days after the date the notice is mailed unless the person
23 submits to the department an affidavit stating facts sufficient to show that it has
24 paid the fee as required under sub. (1).

1 (c) If the person named in the affidavit under par. (a) is an intermediate hauler
2 that holds a license for the collection and transportation of solid waste or hazardous
3 waste, the department shall immediately notify the person that the license will be
4 suspended 30 days after the date the notice is mailed unless the person submits to
5 the department an affidavit stating facts sufficient to show that either of the
6 following has occurred:

7 1. The person named in the affidavit under par. (a) received the required fee
8 from a generator, from a person who arranges for collection or disposal services on
9 behalf of one or more generators or from an earlier intermediate hauler, and paid the
10 fee to the licensed solid waste or hazardous waste disposal facility or to a subsequent
11 intermediate hauler.

12 2. A generator, a person who arranges for collection or disposal services on
13 behalf of one or more generators or an earlier intermediate hauler failed to pay the
14 required fee to the person named in the affidavit under par. (a).

15 (d) If the department does not receive an affidavit under par. (b) or (c) within
16 30 days after the date the notice is mailed, the department shall suspend the license
17 issued to the person for the collection and transportation of solid waste or hazardous
18 waste. Notwithstanding s. 227.42, the department is not required to provide the
19 licensee with a hearing before the suspension.

20 (e) When a person whose license is suspended under par. (d) provides the
21 department with proof that the person has paid the owner or operator of the licensed
22 solid waste or hazardous waste facility the amount of the unpaid fee, the department
23 shall immediately reinstate the suspended license.

24 **SECTION 2569L.** 289.67 (1) (cm) of the statutes is amended to read:

1 289.67 (1) (cm) *Amount of environmental repair fee.* Except as provided under
2 par. (d), the environmental repair fee imposed under par. (a) is 15 cents per ton for
3 ~~solid or hazardous waste received by a licensed solid or hazardous waste disposal~~
4 ~~facility after December 31, 1985, but before July 1, 1989, and 20 cents per ton for~~
5 ~~solid or hazardous waste received by a licensed solid or hazardous waste disposal~~
6 ~~facility on or after July 1, 1989.~~

7 **SECTION 2569m.** 289.67 (1) (cp) of the statutes is amended to read:

8 289.67 (1) (cp) *Amount of environmental repair fee.* Notwithstanding par. (cm)
9 and except as provided under par. (d), the environmental repair fee imposed under
10 par. (a) is ~~30~~ 32.3 cents per ton for solid or hazardous waste, other than high-volume
11 industrial waste, ~~disposed of on or after January 1, 1988, but before July 1, 1989,~~
12 ~~and 50 cents per ton disposed of on or after July 1, 1989.~~

13 **SECTION 2569n.** 289.67 (2) (b) 1. and 2. of the statutes are amended to read:

14 289.67 (2) (b) 1. A generator of hazardous waste shall pay a base fee of \$125
15 \$210 if the generator has generated more than zero pounds in that particular year,
16 plus ~~\$12~~ \$20 per ton of hazardous waste generated during the reporting year.

17 2. No generator may pay a fee that is greater than \$10,000 \$17,000.

18 **SECTION 2569r.** 291.09 (3) of the statutes is created to read:

19 291.09 (3) The department shall study whether the list of hazardous wastes
20 under s. 291.05 (2) should be revised as it relates to commercial chemical products.

21 **SECTION 2570.** 292.11 (7) (d) 1m. of the statutes is created to read:

22 292.11 (7) (d) 1m. The department may negotiate and enter into an agreement
23 containing a schedule for conducting nonemergency actions required under sub. (3)
24 with a local governmental unit, as defined in sub. (9) (e) 1., that is acting on behalf
25 of owners of contaminated property within one of the following:

1 a. A business improvement district, as defined in s. 66.608 (1) (b).

2 b. An area designated by the local governmental unit if the area consists of 2
3 or more properties affected by a contiguous region of groundwater contamination or
4 contains 2 or more properties that are brownfields, as defined in s. 560.60 (1v).

5 **SECTION 2571.** 292.11 (7) (d) 2. of the statutes is amended to read:

6 292.11 (7) (d) 2. The department may charge fees, in accordance with rules that
7 it promulgates, to offset the costs of negotiating and entering into an agreement
8 under subd. 1. or 1m.

9 **SECTION 2572.** 292.11 (9) (e) 1. of the statutes is amended to read:

10 292.11 (9) (e) 1. ~~Local~~ In this paragraph, “local governmental unit” means a
11 municipality, a redevelopment authority created under s. 66.431, a public body
12 designated by a municipality under s. 66.435 (4), a community development
13 authority or a housing authority.

14 **SECTION 2573.** 292.11 (9) (e) 1m. (intro.) of the statutes is amended to read:

15 292.11 (9) (e) 1m. (intro.) ~~A~~ Except as provided in subds. 2., 4., 6. and 7., a local
16 governmental unit is exempt from subs. (3), (4) and (7) (b) and (c) with respect to
17 discharges of hazardous substances on or originating from property acquired by the
18 local government unit before, on or after the effective date of this subdivision
19 [revisor inserts date], if any of the following applies:

20 **SECTION 2574.** 292.11 (9) (e) 1m. b. of the statutes is amended to read:

21 292.11 (9) (e) 1m. b. The local governmental unit acquired the property from
22 a local governmental unit that ~~acquired~~ is exempt under this subdivision with
23 respect to the property under a method described in subd. 1m. a.

24 **SECTION 2575.** 292.11 (9) (e) 1m. e. of the statutes is created to read:

1 292.11 (9) (e) 1m. e. The local governmental unit acquired the property through
2 escheat.

3 **SECTION 2576.** 292.11 (9) (e) 1m. f. of the statutes is created to read:

4 292.11 (9) (e) 1m. f. The local governmental unit acquired the property using
5 funds appropriated under s. 20.866 (2) (tz).

6 **SECTION 2577.** 292.11 (9) (e) 1s. of the statutes is amended to read:

7 292.11 (9) (e) 1s. ~~An~~ Except as provided in subds. 2. and 4. to 6., an economic
8 development corporation described in section 501 (c) of the Internal Revenue Code,
9 as defined in s. 71.22 (4), that is exempt from federal taxation under section 501 (a)
10 of the Internal Revenue Code, or an entity wholly owned and operated by such a
11 corporation, is exempt from subs. (3), (4) and (7) (b) and (c) with respect to property
12 acquired before, on or after October 14, 1997, if the property is acquired to further
13 the economic development purposes that qualify the corporation as exempt from
14 federal taxation.

15 **SECTION 2578.** 292.11 (9) (e) 3. of the statutes is repealed.

16 **SECTION 2579.** 292.11 (9) (e) 5. c. of the statutes is repealed.

17 **SECTION 2580.** 292.11 (9) (e) 6. of the statutes is created to read:

18 292.11 (9) (e) 6. Subdivisions 1m. and 1s. only apply if the local governmental
19 unit or the economic development corporation agrees to allow the department, any
20 authorized representatives of the department, any party that possessed or controlled
21 the hazardous substance or caused the discharge of the hazardous substance and any
22 consultant or contractor of such a party to enter the property to take action to respond
23 to the discharge.

24 **SECTION 2581.** 292.11 (9) (e) 7. of the statutes is created to read:

1 292.11 **(9)** (e) 7. Subdivision 1m. does not apply to property described in subd.
2 1m. f. unless the local governmental unit enters into an agreement with the
3 department to ensure that the conditions in subds. 2. and 4. are satisfied.

4 **SECTION 2581r.** 292.13 (1) (intro.) of the statutes is amended to read:

5 292.13 **(1)** EXEMPTION FROM LIABILITY FOR GROUNDWATER CONTAMINATION. (intro.)

6 A person, ~~other than a state agency,~~ is exempt from s. 292.11 (3), (4) and (7) (b) and
7 (c) with respect to the existence of a hazardous substance in the groundwater on
8 property possessed or controlled by the person if all of the following apply:

9 **SECTION 2581w.** 292.13 (1m) (intro.) of the statutes is amended to read:

10 292.13 **(1m)** EXEMPTION FROM LIABILITY FOR SOIL CONTAMINATION. (intro.) A

11 person, ~~other than a state agency,~~ is exempt from s. 292.11 (3), (4) and (7) (b) and (c)
12 with respect to the existence of a hazardous substance in the soil on property
13 possessed or controlled by the person if all of the following apply:

14 **SECTION 2582.** 292.15 (1) (a) of the statutes is created to read:

15 292.15 **(1)** (a) “Enforcement standard” has the meaning given in s. 160.01 (2).

16 **SECTION 2583.** 292.15 (1) (am) of the statutes is created to read:

17 292.15 **(1)** (am) “Natural attenuation” means the reduction in the mass and
18 concentration in groundwater of a substance, and the products into which the
19 substance breaks down, due to naturally occurring physical, chemical and biological
20 processes, without human intervention.

21 **SECTION 2584.** 292.15 (1) (f) of the statutes is repealed and recreated to read:

22 292.15 **(1)** (f) “Voluntary party” means a person who submits an application to
23 obtain an exemption under this section and pays any fees required under sub. (5).

24 **SECTION 2585.** 292.15 (2) (a) (title) of the statutes is created to read:

25 292.15 **(2)** (a) (title) *General.*

1 **SECTION 2586.** 292.15 (2) (a) (intro.) of the statutes is amended to read:

2 292.15 **(2)** (a) (intro.) Except as provided in sub. (6) or (7), a voluntary party is
3 exempt from the provisions of ss. 289.05 (1), (2), (3) and (4), 289.42 (1), 289.67, 291.25
4 (1) to (5), 291.29, 291.37, 292.11 (3), (4) and (7) (b) and (c) and 292.31 (8), and rules
5 promulgated under those provisions, with respect to ~~the existence~~ discharges of a
6 hazardous substance substances on the or originating from a property, if the release
7 of those hazardous substances occurred prior to the date on which the department
8 approves the environmental investigation of the property under subd. 1. and if all
9 of the following occur at any time before or after the date of acquisition:

10 **SECTION 2587.** 292.15 (2) (a) 2. of the statutes is amended to read:

11 292.15 **(2)** (a) 2. Except as provided in sub. (4), the ~~property is cleaned up by~~
12 ~~restoring the environment~~ is restored to the extent practicable with respect to the
13 discharges and ~~minimizing the harmful effects from a discharge of the hazardous~~
14 ~~substance~~ the discharges are minimized in accordance with rules promulgated by the
15 department and any contract entered into under those rules.

16 **SECTION 2588.** 292.15 (2) (a) 3. of the statutes is amended to read:

17 292.15 **(2)** (a) 3. The voluntary party obtains a certificate of completion from
18 the department that the ~~property~~ environment has been satisfactorily restored to the
19 extent practicable with respect to the discharges and that the harmful effects from
20 ~~a discharge of a hazardous substance~~ the discharges have been minimized.

21 **SECTION 2589.** 292.15 (2) (a) 6. of the statutes is amended to read:

22 292.15 **(2)** (a) 6. The voluntary party has not obtained the ~~certification under~~
23 ~~subd. 3.~~ certificate of completion by fraud or misrepresentation, by the knowing
24 failure to disclose material information or under circumstances in which the

1 voluntary party knew or should have known about more discharges of hazardous
2 substances than were revealed by the investigation conducted under subd. 1.

3 **SECTION 2591.** 292.15 (2) (ae) of the statutes is created to read:

4 292.15 (2) (ae) *Natural attenuation.* Except as provided in sub. (6) or (7), if
5 there exists a hazardous substance in groundwater on or originating from a property
6 in a concentration that exceeds an enforcement standard and the department
7 determines that natural attenuation will restore groundwater quality in accordance
8 with rules promulgated by the department, a voluntary party is exempt from ss.
9 289.05 (1), (2), (3) and (4), 289.42 (1), 289.67, 291.25 (1) to (5), 291.29, 291.37, 292.11
10 (3), (4) and (7) (b) and (c) and 292.31 (8), and rules promulgated under those
11 provisions, with respect to discharges of hazardous substances on or originating from
12 the property, if the release of those hazardous substances occurred prior to the date
13 on which the department approves the environmental investigation of the property
14 under subd. 1. and if all of the following occur at any time before or after the date of
15 acquisition:

16 1. An environmental investigation of the property is conducted that is approved
17 by the department.

18 2. The environment is restored to the extent practicable with respect to the
19 discharges and the harmful effects from the discharges are minimized in accordance
20 with rules promulgated by the department and any contract entered into under those
21 rules, except that this requirement does not apply with respect to the hazardous
22 substance in groundwater that the department has determined will be brought into
23 compliance with rules promulgated by the department through natural attenuation.

24 3. The voluntary party obtains a certificate of completion from the department
25 stating that the environment has been satisfactorily restored to the extent

1 practicable with respect to the discharges and that the harmful effects from the
2 discharges have been minimized, except with respect to the hazardous substance in
3 groundwater that the department has determined will be brought into compliance
4 with rules promulgated by the department through natural attenuation.

5 3m. If required by the department, the voluntary party obtains and maintains
6 insurance to cover the costs of complying with s. 292.11 (3) with respect to the
7 hazardous substance that the department has determined will be brought into
8 compliance with rules promulgated by the department through natural attenuation,
9 in case natural attenuation fails, and the insurance complies with rules promulgated
10 by the department and names this state as the insured.

11 4. The voluntary party maintains and monitors the property as required under
12 rules promulgated by the department and any contract entered into under those
13 rules.

14 5. The voluntary party does not engage in activities that are inconsistent with
15 the maintenance of the property.

16 6. The voluntary party has not obtained the certification under subd. 3. by
17 fraud or misrepresentation, by the knowing failure to disclose material information
18 or under circumstances in which the voluntary party knew or should have known
19 about more discharges of hazardous substances than were revealed by the
20 investigation conducted under subd. 1.

21 **SECTION 2592.** 292.15 (2) (ag) of the statutes is created to read:

22 292.15 (2) (ag) *Property affected by off-site discharge.* Except as provided in
23 sub. (6) or (7), for a property on which there exists a hazardous substance for which
24 a voluntary party is exempt from liability under s. 292.13 (1), a voluntary party is
25 exempt from the provisions of ss. 289.05 (1), (2), (3) and (4), 289.42 (1), 289.67, 291.25

1 (1) to (5), 291.29, 291.37, 292.11 (3), (4) and (7) (b) and (c) and 292.31 (8), and rules
2 promulgated under those provisions, with respect to discharges of hazardous
3 substances on or originating from the property, if the release of those hazardous
4 substances occurred prior to the date on which the department approves the
5 environmental investigation of the property under par. (a) 1., if par. (a) 1. and 4. to
6 6. apply and all of the following occur at any time before or after the date of
7 acquisition:

8 1. The environment is restored to the extent practicable with respect to the
9 discharges and the harmful effects from the discharges are minimized in accordance
10 with rules promulgated by the department and any contract entered into under those
11 rules, except that this requirement does not apply with respect to the hazardous
12 substance for which the voluntary party is exempt from liability under s. 292.13 (1).

13 2. The voluntary party obtains a certificate of completion from the department
14 stating that the environment has been satisfactorily restored to the extent
15 practicable with respect to the discharges and that the harmful effects from the
16 discharges have been minimized, except with respect to the hazardous substance for
17 which the voluntary party is exempt from liability under s. 292.13 (1).

18 3. The voluntary party obtains a written determination from the department
19 under s. 292.13 (2) with respect to the hazardous substance for which the voluntary
20 party is exempt from liability under s 292.13 (1).

21 4. The voluntary party continues to satisfy the conditions under s. 292.13 (1)
22 (d) to (g).

23 **SECTION 2593.** 292.15 (2) (am) (intro.) of the statutes is amended to read:

24 292.15 (2) (am) *Partial cleanup.* (intro.) The department may approve a
25 partial cleanup and issue a certificate of completion as provided in par. (a), (ae) or (ag)

1 that states that not all of the property has been satisfactorily restored or that not all
2 of the harmful effects from a discharge of a hazardous substance have been
3 minimized. Approval of a partial cleanup exempts a voluntary party from ss. 291.37
4 (2) and 292.11 (3), (4) and (7) (b) and (c) with respect to the portion of the property
5 or hazardous substances cleaned up under this paragraph. In addition to meeting
6 the requirements of par. (a), (ae) or (ag), a certificate for a partial cleanup under this
7 paragraph may be issued only if:

8 **SECTION 2594.** 292.15 (2) (ar) (title) of the statutes is created to read:

9 292.15 **(2)** (ar) (title) *Condition.*

10 **SECTION 2595.** 292.15 (2) (at) of the statutes is created to read:

11 292.15 **(2)** (at) *Discharges discovered after environmental investigations.*

12 Except as provided in sub. (6) or (7), a voluntary party is exempt from ss. 289.05 (1),
13 (2), (3) and (4), 289.42 (1), 289.67, 291.25 (1) to (5), 291.29, 291.37, 292.11 (3), (4) and
14 (7) (b) and (c) and 292.31 (8), and rules promulgated under those provisions, with
15 respect to a discharge of a hazardous substance on or originating from a property if
16 the discharge occurred before the environmental investigation under subd. 1. is
17 completed and if all of the following apply:

18 1. An environmental investigation of the property and of any discharges of
19 hazardous substances originating from the property is conducted and is approved by
20 the department.

21 2. If required by the department, the voluntary party enters into an agreement
22 with the department under which the voluntary party agrees to conduct a cleanup
23 approved by the department.

24 3. The voluntary party obtains and maintains insurance to cover the costs of
25 complying with s. 292.11 (3) with respect to a hazardous substance discharges that

1 occurred before the investigation under subd. 1. is completed and that are discovered
2 in the course of conducting a cleanup of the property, the insurance complies with
3 rules promulgated by the department and the insurance names the voluntary party
4 and this state as insureds.

5 3m. If the department requires the voluntary party to enter into an agreement
6 under subd. 2., the voluntary party conducts the agreed upon cleanup.

7 4. A hazardous substance discharge that occurred before the investigation
8 under subd. 1. is completed is discovered after the investigation under subd. 1. is
9 approved and before the cleanup is completed.

10 6. The voluntary party has not obtained approval of the investigation under
11 subd. 1. or the agreement under subd. 2. by fraud or misrepresentation, by the
12 knowing failure to disclose material information or under circumstances in which
13 the voluntary party knew or should have known about more discharges of hazardous
14 substances than were revealed by the investigation conducted under subd. 1.

15 **SECTION 2596.** 292.15 (2) (b) of the statutes is amended to read:

16 292.15 (2) (b) *Extent of exemptions.* The exemptions provided in pars. (a), (ae),
17 (ag) and (am) continue to apply after the date of certification by the department
18 under par. (a) 3., (ae) 3. or (ag) 2., or approval by the department under par. (am),
19 notwithstanding the occurrence of any of the following:

20 1. Statutes, rules or regulations are created or amended that would impose
21 greater responsibilities on the voluntary party than those imposed under par. (a) 2.,
22 (ae) 2. or (ag) 1.

23 2. The voluntary party fully complies with the rules promulgated by the
24 department and any contract entered into under those rules under par. (a) 2., (ae) 2.

1 or (ag) 1. but it is discovered that the cleanup fails to fully restore the environment
2 and minimize the effects from a discharge of a hazardous substance.

3 3. The contamination from a hazardous substance that is the subject of the
4 cleanup under par. (a) 2., (ae) 2. or (ag) 1. is discovered to be more extensive than
5 anticipated by the voluntary party and the department.

6 **SECTION 2597.** 292.15 (2) (c) (title) of the statutes is created to read:

7 292.15 (2) (c) (title) *Prohibition on action.*

8 **SECTION 2598.** 292.15 (2) (c) of the statutes is amended to read:

9 292.15 (2) (c) The department of justice may not commence an action under 42
10 USC 9607 against any voluntary party meeting the criteria of this subsection to
11 recover costs for which the voluntary party is exempt under pars. (a), (ac), (ag), (am),
12 (at) and (b).

13 **SECTION 2599.** 292.15 (2) (d) (title) of the statutes is created to read:

14 292.15 (2) (d) (title) *Exception.*

15 **SECTION 2600.** 292.15 (2) (e) of the statutes is created to read:

16 292.15 (2) (e) *Contract with insurer.* If the department requires insurance
17 under par. (ae) 3m. or (at) 3., the department may contract with an insurer to provide
18 insurance required under par. (ae) 3m. or (at) 3. and may require voluntary parties
19 to obtain coverage under the contract.

20 **SECTION 2601.** 292.15 (3) of the statutes is amended to read:

21 292.15 (3) SUCCESSORS AND ASSIGNS. The An exemption provided in sub. (2)
22 applies to any successor or assignee of the voluntary party ~~who qualifies as a~~
23 ~~voluntary party and who~~ if the successor or assignee complies with the provisions of
24 sub. (2) (a) 4. and 5. ~~unless or (ae) 3m., 4. and 5. and, if applicable, sub. (2) (ag) 4. or~~
25 (am) as though the successor or assignee were the voluntary party except that the

1 exemption in sub. (2) does not apply if the successor or assignee knows that a
2 certificate under sub. (2) (a) 3., (ae) 3., (ag) 12. or (am) was obtained by any of the
3 means or under any of the circumstances specified in sub. (2) (a) 6.

4 **SECTION 2602.** 292.15 (4) (intro.) of the statutes is amended to read:

5 292.15 (4) LIMITED RESPONSIBILITY. (intro.) The responsibility of a voluntary
6 party under sub. (2) (a) 2. may be monetarily limited by agreement between the
7 voluntary party and the department if the voluntary party purchased the property
8 from a local governmental unit that acquired the property in a way or for a purpose
9 described in s. 292.11 (9) (e) 1m. a., b., c. or d. The agreement shall stipulate all of the
10 following:

11 **SECTION 2603.** 292.15 (5m) of the statutes is repealed.

12 **SECTION 2604.** 292.15 (6) of the statutes is renumbered 292.15 (6) (a) and
13 amended to read:

14 292.15 (6) (a) This section does not exempt property from any lien filed under
15 s. 292.81 (3) for costs incurred by the department prior to the date that certification
16 is issued under sub. (2) (a) 3., (ae) 3. or (ag) 2.

17 **SECTION 2605.** 292.15 (6) (b) of the statutes is created to read:

18 292.15 (6) (b) This section does not exempt property from any lien filed under
19 s. 292.81 (3) for costs that are incurred by the department with respect to a hazardous
20 substance discharge described in sub. (2) (at) 3. and that are not covered by insurance
21 required by sub. (2) (at) 3.

22 **SECTION 2606.** 292.21 (1) (c) 1. b. of the statutes is repealed.

23 **SECTION 2607.** 292.21 (1) (c) 1. g. of the statutes is created to read:

24 292.21 (1) (c) 1. g. The lender agrees to allow the department, any authorized
25 representatives of the department, any party that possessed or controlled the

1 hazardous substance or caused the discharge of the hazardous substance and any
2 consultant or contractor of such a party to enter the real property to take action to
3 respond to the discharge.

4 **SECTION 2608.** 292.21 (1) (c) 1. h. of the statutes is created to read:

5 292.21 (1) (c) 1. h. The lender agrees to avoid any interference with action
6 undertaken to respond to the discharge and to avoid actions that worsen the
7 discharge.

8 **SECTION 2609.** 292.21 (1) (c) 1. i. of the statutes is created to read:

9 292.21 (1) (c) 1. i. The lender agrees to any other condition that the department
10 determines is reasonable and necessary to ensure that the department or other
11 person described in subd. 1. g. can adequately respond to the discharge.

12 **SECTION 2610.** 292.24 of the statutes is created to read:

13 **292.24 Responsibility of local governmental units; hazardous waste.**

14 **(1) DEFINITION.** In this section, “local governmental unit” has the meaning given in
15 s. 292.11 (9) (e) 1.

16 **(2) EXEMPTION FROM LIABILITY.** Except as provided in sub. (3), a local
17 governmental unit is exempt from ss. 291.25 (1) to (5), 291.29 and 291.37, and rules
18 promulgated under those provisions, with respect to the existence of a hazardous
19 waste discharge on property acquired in a way or for a purpose described in s. 292.11
20 (9) (e) 1m., if all of the following occur at any time before or after the date of
21 acquisition:

22 (a) An environmental investigation of the property is conducted that is
23 approved by the department and that identifies any hazardous waste discharges
24 that occurred on the property.

1 (b) The hazardous waste discharges identified by the investigation under par.
2 (a) are cleaned up by restoring the environment to the extent practicable with respect
3 to the discharges and minimizing the harmful effects from the discharges in
4 accordance with rules promulgated by the department and any contract entered into
5 under those rules.

6 (c) The local governmental unit obtains an approval from the department
7 stating that the property has been satisfactorily restored to the extent practicable
8 with respect to the hazardous waste discharges and that the harmful effects from the
9 discharges have been minimized.

10 (d) The local governmental unit maintains and monitors the property as
11 required under rules promulgated by the department and any contract entered into
12 under those rules.

13 (e) The local governmental unit does not engage in activities that are
14 inconsistent with the maintenance of the property.

15 (f) The local governmental unit has not obtained the certification under par. (c)
16 by fraud or misrepresentation, by the knowing failure to disclose material
17 information or under circumstances in which the local governmental unit knew or
18 should have known about more discharges of hazardous waste than were revealed
19 by the investigation conducted under par. (a).

20 (g) The local governmental unit did not cause the discharge of any hazardous
21 waste identified on the property.

22 **(3) APPLICABILITY.** Subsection (2) does not apply to any of the following:

23 (a) A hazardous waste treatment, storage or disposal facility that first begins
24 operation after the date on which the local governmental unit acquired the property.

1 (b) A licensed hazardous waste treatment, storage or disposal facility operated
2 on the property before the date on which the local governmental unit acquired the
3 property and that is operated after the date on which the local governmental unit
4 acquired the property.

5 (c) Any hazardous waste disposal facility that has been issued a license under
6 s. 144.441 (2), 1995 stats., or s. 289.41 (1m), or rules promulgated under those
7 sections, for a period of long-term care following closure of the facility.

8 **SECTION 2611.** 292.25 of the statutes is created to read:

9 **292.25 Report on impact of exemptions from liability. (1)** The
10 department shall biennially determine all of the following:

11 (a) The number of sites for which a person is seeking to qualify for an exemption
12 under s. 292.15.

13 (b) The number of sites for which a certificate of completion was issued under
14 s. 292.15.

15 (c) The number of sites for which a certificate of completion was issued under
16 s. 292.15 at which it is discovered that the cleanup failed or at which additional
17 hazardous substances are found after the certificate of completion was issued.

18 (d) The number of sites described in par. (b) at which the department has
19 determined that it is necessary to conduct remedial action using moneys from the
20 environmental fund and the estimated costs of performing that remedial action.

21 (e) The number of sites for which a claim was made against an insurance policy
22 required under s. 292.15.

23 **(2)** No later than September 15 of each even-numbered year, the department
24 shall submit a report describing its determinations under sub. (1) to the legislature
25 under s. 13.172 (2), to the governor and to the department of administration.

1 **(3)** The department may require a person to provide information necessary for
2 the department to make the determinations under sub. (1).

3 **SECTION 2611d.** 292.255 of the statutes is created to read:

4 **292.255 Report on brownfield efforts.** On or before June 30 annually, the
5 department of natural resources, the department of administration, the department
6 of commerce, the department of revenue and the department of transportation shall
7 submit a report to the appropriate standing committees of the legislature under s.
8 13.172 (3) and to the joint committee on finance evaluating the effectiveness of this
9 state's efforts to remedy the contamination of, and to redevelop, brownfields, as
10 defined in s. 560.60 (1v).

11 **SECTION 2612.** 292.33 of the statutes is created to read:

12 **292.33 Local government cost recovery cause of action. (1) DEFINITION.**

13 In this section "local governmental unit" has the meaning given in s. 292.11 (9) (e)
14 1.

15 **(2) CAUSE OF ACTION.** Except as provided in sub. (6), a local governmental unit
16 may recover costs as provided in sub. (4) from a responsible person described in sub.
17 (3) if the costs are incurred in connection with a property acquired as provided in s.
18 292.11 (9) (e) 1m. on which a hazardous substance has been discharged.

19 **(3) RESPONSIBLE PERSONS.** (a) Except as provided in par. (b), a local
20 governmental unit may recover costs in an action under this section from any of the
21 following:

22 1. A person who, at the time that the local governmental unit acquired the
23 property, possessed or controlled the hazardous substance that was discharged on
24 the property.

1 2. A person who caused the discharge of the hazardous substance on the
2 property.

3 (b) A local governmental unit may not recover costs in an action under sub. (2)
4 from a person listed in par. (a) if any of the following applies:

5 1. The person is exempt from liability under s. 292.11 (9) (e), 292.13, 292.15,
6 292.16, 292.19 or 292.21 with respect to the discharge that is the subject of the action.

7 2. The person has entered into a consent order under this chapter or ch. 289
8 or 291 or an agreement under s. 292.11 (7) (d) or 292.31 (8) (h) with respect to the
9 discharge that is the subject of the action and the person is in compliance with the
10 consent order or agreement.

11 3. The person is exempt from liability under s. 292.35 (9) (e) with respect to the
12 discharge that is the subject of the action.

13 4. The discharge that was caused by the person and that is the subject of the
14 action was in compliance with a permit, license, approval, special order, waiver or
15 variance issued under ch. 283 or 285 or under corresponding federal statutes or
16 regulations.

17 **(4) RECOVERABLE COSTS.** (a) Except as provided in par. (b), in an action under
18 this section a local governmental unit may recover the reasonable and necessary
19 costs that it incurs for all of the following:

20 1. Investigating environmental contamination on the property and planning
21 remedial activities described in subd. 2.

22 2. Conducting remedial activities to restore the property for its intended future
23 use.

1 3. Administering the activities under subds. 1. and 2. and bringing the action
2 under this section, including costs, disbursements and engineering fees but
3 excluding attorney fees.

4 (b) The costs determined under par. (a) shall be reduced by the fair market
5 value of the property after completion of the activities under par. (a) 2.

6 (c) Recoverable costs under this subsection may not be reduced by the amount
7 of any state or federal moneys received by the local governmental unit for any of the
8 activities under par. (a).

9 (d) 1. In an action under this section, the liability of a responsible person
10 described in sub. (3) (a) 2. is limited to the amount that bears the same proportion
11 to the total costs under par. (a), adjusted as provided in par. (b), as the amount of the
12 environmental pollution on the property from the discharge caused by the
13 responsible person bears to all of the environmental pollution on the property from
14 discharges of hazardous substances.

15 2. In an action under this section, the liability of a responsible person described
16 in sub. (3) (a) 1. is limited to the amount of the total costs under par. (a), adjusted as
17 provided in par. (b), that the local governmental unit is unable to recover from
18 responsible parties described in sub. (3) (a) 2. less the amount that the local
19 governmental unit is unable to recover because of the exemptions in sub. (3) (b) 3.
20 and 4.

21 **(5) REPAYING STATE ASSISTANCE.** If a local governmental unit that recovers costs
22 under this section received money from this state, other than under s. 292.11 (7) or
23 292.31 (1), (3) or (7), for any of the activities under sub. (4) (a), the local governmental
24 unit shall reimburse to the state an amount that bears the same proportion to the
25 total amount recovered under this section as the amount received from the state,

1 other than under s. 292.11 (7) or 292.31 (1), (3) or (7), bears to the total costs under
2 sub. (4) (a) adjusted as provided in sub. (4) (b).

3 **(6) EXCEPTION.** A local governmental unit may not recover costs under this
4 section for remedial activities conducted on a property or portion of a property with
5 respect to a discharge after the department of natural resources, the department of
6 commerce or the department of agriculture, trade and consumer protection has
7 indicated that no further remedial activities are necessary on the property or portion
8 of the property with respect to the discharge.

9 **(7) LIMITATION OF ACTION.** An action under this section shall be commenced
10 within 6 years after the date that the local governmental unit completes the
11 activities under sub. (4) (a) 2. or be barred.

12 **SECTION 2613.** 292.57 of the statutes is created to read:

13 **292.57 Database of properties on which groundwater standards are**
14 **exceeded. (1)** In this section, “groundwater standard” means an enforcement
15 standard, as defined in s. 160.01 (2), or a preventive action limit, as defined in s.
16 160.01 (6).

17 **(2) (a)** The department may promulgate a rule specifying a fee for placing
18 information concerning a property on which a groundwater standard is exceeded into
19 a database.

20 **(b)** Any moneys collected under this subsection shall be credited to the
21 appropriation account under s. 20.370 (2) (mi).

22 **SECTION 2614.** 292.65 (1) (d) 9. of the statutes is created to read:

23 292.65 **(1) (d) 9.** A formal wear rental firm.

24 **SECTION 2614e.** 292.65 (1) (ek) of the statutes is created to read:

1 292.65 (1) (ek) “Formal wear” includes tuxedos, suits and dresses, but does not
2 include costumes, table linens and household fabrics.

3 **SECTION 2614g.** 292.65 (1) (em) of the statutes is created to read:

4 292.65 (1) (em) “Formal wear rental firm” means a facility that rents formal
5 wear to the general public and dry cleans only the formal wear that it rents to the
6 general public.

7 **SECTION 2615.** 292.65 (1) (h) 3. of the statutes is created to read:

8 292.65 (1) (h) 3. A person who operated a dry cleaning facility that ceased
9 operating before October 14, 1997.

10 **SECTION 2616.** 292.65 (1) (i) 1. of the statutes is renumbered 292.65 (1) (i) 1.
11 (intro.) and amended to read:

12 292.65 (1) (i) 1. (intro.) A person who owns, or has possession or control of, a
13 ~~dry cleaning facility, or~~ and who receives or received direct or indirect consideration
14 from the operation of a dry cleaning facility regardless of whether the dry cleaning
15 facility remains in operation and regardless of whether the person owns or receives
16 consideration at the time that environmental pollution occurs., any of the following:

17 **SECTION 2617.** 292.65 (1) (i) 1. a. of the statutes is created to read:

18 292.65 (1) (i) 1. a. A dry cleaning facility that is licensed under s. 77.9961 (2).

19 **SECTION 2618.** 292.65 (1) (i) 1. b. of the statutes is created to read:

20 292.65 (1) (i) 1. b. A dry cleaning facility that has ceased operation but that,
21 if it ceased operation on or after October 14, 1997, was licensed under s. 77.9961 (2)
22 before it ceased operation.

23 **SECTION 2619.** 292.65 (1) (i) 3. of the statutes is created to read:

24 292.65 (1) (i) 3. A person who owns the property on which one of the following
25 is located:

- 1 a. A dry cleaning facility that is licensed under s. 77.9961 (2).
2 b. A dry cleaning facility that has ceased operation but that was licensed under
3 s. 77.9961 (2) before it ceased operation.

4 **SECTION 2620.** 292.65 (1) (L) of the statutes is amended to read:

5 292.65 (1) (L) “Service provider” means a consultant, testing laboratory,
6 monitoring well installer, soil boring contractor, other contractor, lender or any other
7 person who provides a product or service for which an application for reimbursement
8 has been or will be filed under this section, or a subcontractor of such a person.

9 **SECTION 2621.** 292.65 (3) (am) 2. of the statutes is amended to read:

10 292.65 (3) (am) 2. The department shall pay an award for immediate action
11 activities. ~~For the purposes of this subdivision, removal of contaminated soils and~~
12 ~~recovery of free dry cleaning solvent are not considered immediate action activities.~~

13 **SECTION 2622.** 292.65 (3) (am) 3. of the statutes is repealed and recreated to
14 read:

15 292.65 (3) (am) 3. After paying awards for immediate action activities, the
16 department shall do the following with the remaining funds available for awards
17 under this section:

18 a. In the program year that begins on July 1, 1999, provide 75% to pay awards
19 for eligible costs incurred before October 14, 1997, and provide 25% to pay awards
20 for eligible costs incurred on or after October 14, 1997.

21 b. In the program year that begins on July 1, 2000, provide 50% to pay awards
22 for eligible costs incurred before October 14, 1997, and provide 50% to pay awards
23 for eligible costs incurred on or after October 14, 1997.

1 c. In the program year that begins on July 1, 2001, and every program year
2 thereafter, provide at least 70% as awards to pay eligible costs incurred on or after
3 October 14, 1997.

4 **SECTION 2627.** 292.65 (4) (m) of the statutes is created to read:

5 292.65 **(4)** (m) *Notification of insurance claims and receipt of proceeds.* An
6 owner or operator shall notify the department of any insurance claim made to cover
7 eligible costs, the status of the claim, and, if the owner or operator has received any
8 insurance proceeds arising from the claim, the amount of the proceeds.

9 **SECTION 2629.** 292.65 (6) of the statutes is repealed.

10 **SECTION 2631.** 292.65 (7) (a) 16. of the statutes is repealed.

11 **SECTION 2632.** 292.65 (7) (b) of the statutes is repealed.

12 **SECTION 2634.** 292.65 (7) (c) 6. of the statutes is created to read:

13 292.65 **(7)** (c) 6. Costs of financing eligible activities.

14 **SECTION 2636.** 292.65 (8) (a) 4m. of the statutes is created to read:

15 292.65 **(8)** (a) 4m. If the owner or operator receives any proceeds arising from
16 an insurance claim for any eligible costs, a record of the payment.

17 **SECTION 2636g.** 292.65 (8) (d) 8. of the statutes is amended to read:

18 292.65 **(8)** (d) 8. The dry cleaning solvent discharge was caused by a person who
19 provided services or products to the owner or operator or to a prior owner or operator
20 of the dry cleaning facility, including a person who provided perchloroethylene to the
21 owner or operator or prior owner or operator of a dry cleaning facility using a system
22 other than a closed, direct-coupled delivery system.

23 **SECTION 2637.** 292.65 (8) (e) 3a. of the statutes is repealed and recreated to
24 read:

25 292.65 **(8)** (e) 3a. If eligible costs are \$200,000 or less, \$10,000.

1 **SECTION 2638.** 292.65 (8) (e) 3am. of the statutes is created to read:

2 292.65 **(8)** (e) 3am. If eligible costs exceed \$200,000 but do not exceed \$400,000,
3 \$10,000 plus 8% of the amount by which eligible costs exceed \$200,000.

4 **SECTION 2639.** 292.65 (8) (e) 3ar. of the statutes is created to read:

5 292.65 **(8)** (e) 3ar. If eligible costs exceed \$400,000, \$26,000 plus 10% of the
6 amount by which eligible costs exceed \$400,000.

7 **SECTION 2640.** 292.65 (8) (e) 3b. of the statutes is amended to read:

8 292.65 **(8)** (e) 3b. ~~For each year in which the owner or operator has not paid the~~
9 ~~annual license fee under s. 77.9961 (1) for the dry cleaning facility, an An amount~~
10 ~~equal to 30 times the average annual license fee paid under s. 77.9961 (1) for that the~~
11 ~~year in which an award is made.~~

12 **SECTION 2641.** 292.65 (8) (e) 3c. of the statutes is amended to read:

13 292.65 **(8)** (e) 3c. ~~For each year in which the dry cleaning solvents fee under s.~~
14 ~~77.9962 was imposed and the dry cleaning facility was not in operation, an An~~
15 ~~amount equal to 30 times the total amount collected under s. 77.9962 for that the~~
16 ~~year in which an award is made divided by the number of dry cleaning facilities in~~
17 ~~operation during that year.~~

18 **SECTION 2641g.** 292.65 (8) (j) 4. of the statutes is created to read:

19 292.65 **(8)** (j) 4. If, prior to receiving an award under this section, an owner or
20 operator receives payment from an insurance company arising out of a claim for
21 payment of any eligible costs, the department may not reimburse the owner or
22 operator any amount that exceeds the difference between the amount of the award
23 calculated under subd. 1. or 2. and pars. (e) and (f) and the amount by which the
24 insurance payment exceeds the sum of the deductible and the amount by which the
25 amount calculated under par. (e) exceeds the maximum award under par. (f).

1 **SECTION 2641m.** 292.65 (8m) of the statutes is created to read:

2 292.65 **(8m)** REIMBURSEMENT OF INSURANCE PROCEEDS. If, after the owner or
3 operator receives an award under this section, the owner or operator receives
4 payment from an insurance company arising out of a claim for payment of any
5 eligible costs, the owner or operator shall pay to the department the amount by which
6 the insurance payment exceeds the sum of the deductible and the amount by which
7 the amount calculated under par. (e) exceeds the maximum award under par. (f), but
8 not more than the amount of the award received. The amounts collected by the
9 department under this subsection shall be deposited in the dry cleaner
10 environmental response fund.

11 **SECTION 2643.** 292.65 (11) of the statutes is created to read:

12 292.65 **(11)** ENVIRONMENTAL FUND REIMBURSEMENT. If the department expends
13 funds from the environmental fund under s. 292.11 (7) (a) or 292.31 (3) (b) because
14 of a discharge of dry cleaning solvent at a dry cleaning facility, the department shall
15 transfer from the appropriation account under s. 20.370 (6) (eq) to the environmental
16 fund an amount equal to the amount expended under s. 292.11 (7) (a) or 292.31 (3)
17 (b). The department shall make transfers under this subsection when the
18 department determines that sufficient funds are available in the appropriation
19 account under s. 20.370 (6) (eq).

20 **SECTION 2644.** 292.65 (12m) of the statutes is created to read:

21 292.65 **(12m)** PROHIBITION. No person may knowingly make or cause to be made
22 a false or misleading statement in any document submitted to the department under
23 this section.

24 **SECTION 2645m.** 292.66 (2) (e) of the statutes is repealed.

25 **SECTION 2645p.** 292.66 (2) (g) of the statutes is created to read:

1 292.66 (2) (g) The owner or operator of a dry cleaning facility that is operating
2 at the time that the owner or operator applies for assistance under this section
3 certifies that any perchloroethylene delivered to the dry cleaning facility is delivered
4 using a closed, direct-coupled delivery system.

5 **SECTION 2646.** 292.66 (3) of the statutes is amended to read:

6 292.66 (3) An award under this section ~~may not exceed \$15,000, of which not~~
7 ~~more than \$2,500 may be~~ shall equal 50% of the eligible costs, except that an award
8 may not exceed \$20,000. Of the total award, the reimbursement for the preliminary
9 site screening shall equal 50% of the cost of conducting the preliminary site
10 screening, except that the reimbursement for the preliminary site screening may not
11 exceed \$3,000.

12 **SECTION 2647.** 292.66 (5) of the statutes is created to read:

13 292.66 (5) No person may knowingly make or cause to be made a false or
14 misleading statement in any document submitted to the department under this
15 section.

16 **SECTION 2648c.** 292.70 of the statutes is created to read:

17 **292.70 Indemnification for disposal of polychlorinated biphenyls. (1)**

18 DEFINITION. In this section, “PCBs” has the meaning given in s. 299.45 (1) (a).

19 **(2) INDEMNIFICATION AGREEMENTS CONCERNING DISPOSAL OF CONTAMINATED**
20 **SEDIMENTS.** Subject to sub. (4), the department may enter into an agreement with a
21 municipality under which this state agrees to indemnify the municipality and its
22 agencies, officials, employes and agents against liability for damage to persons,
23 property or the environment resulting from the municipality’s acceptance for
24 disposal of sediments that are from the Great Lakes basin and are contaminated
25 with PCBs, if the sediments are disposed of in a manner approved by the department.

1 **(3)** INDEMNIFICATION AGREEMENTS CONCERNING TREATMENT OF CONTAMINATED
2 LEACHATE. Subject to sub. (4), the department may enter into an agreement with a
3 municipality under which this state agrees to indemnify the municipality and its
4 agencies, officials, employes and agents against any liability for damage to persons,
5 property or the environment resulting from the municipality's conveyance or
6 treatment of leachate that is contaminated with PCBs and that is from a landfill that
7 accepts sediments contaminated with PCBs, if the leachate is treated in a manner
8 approved by the department.

9 **(4)** REQUIREMENTS. The department may enter into an agreement under sub.
10 (2) or (3) only if all of the following apply:

11 (a) The agreement is approved by the governor, the attorney general, the
12 secretary and the governing body of the municipality.

13 (b) The agreement specifies a method for determining whether the
14 municipality is liable for damage described in sub. (2) or (3).

15 (c) The agreement requires the municipality to notify the department and the
16 attorney general when a claim or lawsuit to which the agreement may apply is filed
17 against the political subdivision.

18 (d) The agreement authorizes the attorney general to intervene on behalf of the
19 municipality and this state in any lawsuit to which the agreement may apply.

20 (e) The agreement requires the operator of the solid waste disposal facility or
21 wastewater treatment facility to minimize risks related to PCBs.

22 (f) The agreement authorizes the department to require the operator of the
23 solid waste disposal facility or wastewater treatment facility to operate in a manner
24 specified by the department in order to minimize risks related to PCBs.

1 **(5) LIMITATION.** The department may include in an agreement under sub. (4)
2 a limitation on the amount that this state will pay to a municipality under the
3 agreement.

4 **(6) IMMUNITY.** This section and any agreement entered into under sub. (3) or
5 (4) may not be construed as consent to sue this state.

6 **(7) REVIEW AND PAYMENT.** If a claim is filed under an agreement under sub. (2)
7 or (3), the department shall review the claim to determine whether it is valid. A valid
8 claim shall be paid from the appropriation under s. 20.370 (2) (fq).

9 **SECTION 2649.** 292.75 of the statutes is created to read:

10 **292.75 Brownfield site assessment grants. (1) DEFINITIONS.** In this
11 section:

12 (a) “Eligible site or facility” means an abandoned, idle or underused industrial
13 or commercial facility or site, the expansion or redevelopment of which is adversely
14 affected by actual or perceived environmental contamination.

15 (b) “Local governmental unit” means a city, village, town, county,
16 redevelopment authority created under s. 66.431, community development
17 authority created under s. 66.4325, or housing authority.

18 (c) “Petroleum product” has the meaning given in s. 101.143 (1) (f).

19 (d) “Underground hazardous substance storage tank system” means an
20 underground storage tank used for storing a hazardous substance other than a
21 petroleum product together with any on-site integral piping or dispensing system
22 with at least 10% of its total volume below the surface of the ground.

23 (e) “Underground petroleum product storage tank” has the meaning given in
24 s. 101.143 (1) (i).

1 **(2) DUTIES OF THE DEPARTMENT.** (a) The department shall administer a
2 program to award brownfield site assessment grants from the appropriation under
3 s. 20.370 (6) (et) to local governmental units for the purposes of conducting any of the
4 eligible activities under sub. (3).

5 (b) The department may not award a grant to a local governmental unit under
6 this section if that local governmental unit caused the environmental contamination
7 that is the basis for the grant request.

8 (c) The department may only award grants under this section if the person that
9 caused the environmental contamination that is the basis for the grant request is
10 unknown, cannot be located or is financially unable to pay the cost of the eligible
11 activities.

12 (d) The department shall promulgate rules as necessary to administer the
13 program. Rules promulgated by the department under this paragraph may limit the
14 total amount of funds that may be used to cover the costs of each category of eligible
15 activity described in sub. (3).

16 **(3) ELIGIBLE ACTIVITIES.** The department may award grants to local
17 governmental units to cover the costs of the following activities:

18 (a) The investigation of environmental contamination on an eligible site or
19 facility for the purposes of reducing or eliminating environmental contamination.

20 (b) The demolition of any structures, buildings or other improvements located
21 on an eligible site or facility.

22 (c) The removal of abandoned containers, as defined in s. 292.41 (1), from an
23 eligible site or facility.

24 (d) Asbestos abatement activities, as defined in s. 254.11 (2), conducted on an
25 eligible site or facility.

1 (e) The removal of underground hazardous substance storage tank systems.

2 (f) The removal of underground petroleum product storage tank systems.

3 **(4) APPLICATION FOR GRANT.** The applicant shall submit an application on a form
4 prescribed by the department and shall include any information that the department
5 finds necessary to calculate the amount of a grant.

6 **(5) GRANT CRITERIA.** The department shall consider the following criteria when
7 determining whether to award a grant:

8 (a) The local governmental unit's demonstrated commitment to performing and
9 completing necessary environmental remediation activities on the eligible site,
10 including the local governmental unit's financial commitment.

11 (b) The degree to which the project will have a positive impact on public health
12 and the environment.

13 (c) Other criteria that the department finds necessary to calculate the amount
14 of a grant.

15 **(6) LIMITATION OF GRANT.** The total amount of all grants awarded to a local
16 governmental unit in a fiscal year under this section shall be limited to an amount
17 equal to 15% of the available funds appropriated under s. 20.370 (6) (et) for the fiscal
18 year.

19 **(7) MATCHING FUNDS.** The department may not distribute a grant unless the
20 applicant contributes matching funds equal to 20% of the grant. Matching funds
21 may be in the form of cash or in-kind contribution or both.

22 **SECTION 2649h.** 292.77 of the statutes is created to read:

23 **292.77 Sustainable urban development zone program.** (1) In this
24 section, "brownfields" has the meaning given in s. 560.13 (1) (a).

1 **(2)** The department shall develop and, beginning no later than
2 January 1, 2001, administer a pilot program in the city of Beloit, the city of Green
3 Bay, the city of La Crosse, the city of Milwaukee and the city of Oshkosh that
4 promotes the use of financial incentives to clean up and redevelop brownfields.
5 Funds provided under the program may be used to investigate environmental
6 contamination and to conduct cleanups of brownfields in those cities.

7 **(3)** In developing and administering the pilot program under sub. (2), the
8 department shall consult and coordinate with the department of administration, the
9 department of commerce, the department of health and family services, the
10 department of revenue, the department of transportation and the cities specified in
11 sub. (2).

12 **(4)** During the 1999–2001 fiscal biennium, the department shall make the
13 following amounts available through the pilot program under sub. (2):

14 (a) To the city of Green Bay, \$500,000.

15 (b) To the city of La Crosse, \$500,000.

16 (c) To the city of Milwaukee, \$1,000,000.

17 (d) To the city of Oshkosh, \$250,000.

18 (e) To the city of Beloit, \$200,000.

19 **(5)** (a) The department of commerce shall certify a person conducting a project
20 under the pilot program as eligible to claim a tax credit under s. 71.07 (2dy), 71.28
21 (1dy) or 71.47 (1dy) while the person is conducting the project.

22 (b) Within 3 months after a person is certified under par. (a), the department
23 of commerce shall estimate the amount of tax benefits that the person will claim
24 while conducting the project.

1 (c) The department of commerce shall provide a person certified under par. (a)
2 and the department of revenue with a copy of the certification. The certification shall
3 include all of the following:

- 4 1. The name and address of the person's business.
- 5 2. The location and description of the project.
- 6 3. The appropriate Wisconsin tax identification number of the person.
- 7 4. The names and addresses of other locations where the person conducts
8 business and a description of the business activities conducted at those locations.
- 9 5. Other information required by the department of natural resources or the
10 department of revenue.

11 (d) The department of commerce shall promulgate rules that further define a
12 person's eligibility to claim the tax credit.

13 **SECTION 2650.** 292.99 (1) of the statutes is amended to read:

14 292.99 (1) Any Except as provided under sub. (1m), any person who violates
15 this chapter or any rule promulgated or any plan approval, license or special order
16 issued under this chapter shall forfeit not less than \$10 nor more than \$5,000 for each
17 violation. Each day of continued violation is a separate offense. While an order is
18 suspended, stayed or enjoined, this penalty does not accrue.

19 **SECTION 2651.** 292.99 (1m) of the statutes is created to read:

20 292.99 (1m) Any person who violates s. 292.65 (12m) or 292.66 (5) shall forfeit
21 not less than \$10 nor more than \$10,000.

22 **SECTION 2652.** 292.99 (2) of the statutes is amended to read:

23 292.99 (2) In addition to the penalties provided under ~~sub.~~ subs. (1) and (1m),
24 the court may award the department of justice the reasonable and necessary
25 expenses of the investigation and prosecution of the violation, including attorney

1 fees. The department of justice shall deposit in the state treasury for deposit into the
2 general fund all moneys that the court awards to the department or the state under
3 this subsection. Ten percent of the money deposited in the general fund that was
4 awarded under this subsection for the costs of investigation and the expenses of
5 prosecution, including attorney fees, shall be credited to the appropriation account
6 under s. 20.455 (1) (gh).

7 **SECTION 2653.** 295.11 (10) of the statutes is amended to read:

8 295.11 **(10)** “Solid waste” means any garbage, refuse, sludge from a waste
9 treatment plant, water supply treatment plant or air pollution control facility and
10 other discarded or salvageable materials, including solid, liquid, semisolid, or
11 contained gaseous materials resulting from industrial, commercial, mining and
12 agricultural operations, and from community activities, but does not include solids
13 or dissolved material in domestic sewage, or solid or dissolved materials in irrigation
14 return flows or industrial discharges which are point sources subject to permits
15 under ch. 283, or source material, as defined in s. 254.31 (10), special nuclear
16 material, as defined in s. 254.31 (11), or by-product material, as defined in s. 254.31
17 ~~(3)~~ (1).

18 **SECTION 2653d.** 295.16 (1) (c) of the statutes is created to read:

19 295.16 **(1)** (c) The requirements for a nonmetallic mining reclamation plan
20 under s. 295.12 (3) (c), for public notice and an opportunity for a public informational
21 hearing under s. 295.12 (3) (d) and for proof of financial responsibility under s. 295.12
22 (3) (ds) do not apply to nonmetallic mining to obtain stone, soil, sand or gravel for the
23 construction, maintenance or repair of a highway, railroad, airport facility, or any
24 other transportation facility, conducted under contract with a municipality, as
25 defined in s. 299.01 (8), if the contract requires the nonmetallic mining site to be

1 reclaimed in accordance with the requirements of the department of transportation
2 concerning the restoration of nonmetallic mining sites.

3 **SECTION 2653v.** 299.07 (1) (a) (intro.) of the statutes is amended to read:

4 299.07 (1) (a) (intro.) The Except as provided in par. (am), the department shall
5 require each applicant to provide the department with the applicant's social security
6 number, if the applicant is an individual, or the applicant's federal employer
7 identification number, if the applicant is not an individual, as a condition of issuing
8 or renewing any of the following:

9 **SECTION 2654c.** 299.07 (1) (am) of the statutes is created to read:

10 299.07 (1) (am) 1. If an individual who applies for the issuance or renewal of
11 a license, registration or certification specified in par. (a) does not have a social
12 security number, the department shall require the applicant, as a condition of
13 issuing or renewing the license, registration or certification, to submit a statement
14 made or subscribed under oath or affirmation that the applicant does not have a
15 social security number. The statement shall be in the form prescribed by the
16 department of workforce development.

17 2. A license, registration or certification specified in par. (a) that is issued in
18 reliance on a statement submitted under subd. 1. is invalid if the statement is false.

19 **SECTION 2654e.** 299.08 (1) (a) (intro.) of the statutes is amended to read:

20 299.08 (1) (a) (intro.) The Except as provided in par. (am), the department shall
21 require each applicant who is an individual to provide the department with the
22 applicant's social security number as a condition of issuing or renewing any of the
23 following:

24 **SECTION 2654f.** 299.08 (1) (am) of the statutes is created to read:

1 299.08 (1) (am) 1. If an individual who applies for the issuance or renewal of
2 a license, registration or certification specified in par. (a) does not have a social
3 security number, the department shall require the applicant, as a condition of
4 issuing or renewing the license, registration or certification, to submit a statement
5 made or subscribed under oath or affirmation that the applicant does not have a
6 social security number. The statement shall be in the form prescribed by the
7 department of workforce development.

8 2. A license, registration or certification specified in par. (a) that is issued in
9 reliance on a statement submitted under subd. 1. is invalid if the statement is false.

10 **SECTION 2670.** 299.13 (title) of the statutes is amended to read:

11 **299.13 (title) ~~Hazardous pollution~~ Pollution prevention.**

12 **SECTION 2671.** 299.13 (1) (be) of the statutes is created to read:

13 299.13 (1) (be) “Center” means the solid and hazardous waste education center
14 under s. 36.25 (30).

15 **SECTION 2672.** 299.13 (1) (c) of the statutes is repealed.

16 **SECTION 2673.** 299.13 (1) (dm) of the statutes is created to read:

17 299.13 (1) (dm) 1. “Pollution prevention” means an action that does any of the
18 following:

- 19 a. Prevents waste from being created.
- 20 b. Reduces the amount of waste that is created.
- 21 c. Changes the nature of waste being created in a way that reduces the hazards
22 to public health or the environment posed by the waste.

23 2. “Pollution prevention” does not include incineration, recycling or treatment
24 of a waste, changes in the manner of disposal of a waste or any practice that changes

1 the characteristics or volume of a waste if the practice is not part of the process that
2 produces a product or provides a service.

3 **SECTION 2674.** 299.13 (1) (e) of the statutes is repealed.

4 **SECTION 2675.** 299.13 (1m) (intro.) of the statutes is amended to read:

5 299.13 **(1m)** PROMOTION OF HAZARDOUS POLLUTION PREVENTION. (intro.) In
6 carrying out the duties under this section and ss. 36.25 (30) and 560.19, the
7 department, the department of commerce and the ~~program~~ center shall promote all
8 of the following techniques for hazardous pollution prevention:

9 **SECTION 2676.** 299.13 (1m) (f) of the statutes is created to read:

10 299.13 **(1m)** (f) Reducing energy use.

11 **SECTION 2677.** 299.13 (1m) (g) of the statutes is created to read:

12 299.13 **(1m)** (g) Training employes to minimize waste.

13 **SECTION 2678.** 299.13 (2) (a) of the statutes is amended to read:

14 299.13 **(2)** (a) Designate an employe of the department to serve as hazardous
15 pollution prevention coordinator and to do all of the following:

16 2. Recommend educational priorities to the university of Wisconsin–extension
17 for the ~~program~~ center, considering volume and toxicity of hazardous substances,
18 toxic pollutants and hazardous waste produced, lack of compliance with
19 environmental standards, potential for hazardous pollution prevention and
20 projected shortfalls in hazardous waste treatment or disposal facilities under the
21 capacity assurance plan.

22 3. Coordinate the department's hazardous pollution prevention efforts with
23 those of other governmental agencies and private groups.

24 4. Provide training concerning hazardous pollution prevention to employes of
25 the department.

1 **SECTION 2679.** 299.13 (2) (b) of the statutes is amended to read:

2 299.13 **(2)** (b) Identify all department requirements for reporting on hazardous
3 pollution prevention and, to the extent possible and practical, standardize,
4 coordinate and consolidate the reporting in order to minimize duplication and
5 provide useful information on hazardous pollution prevention to the legislature and
6 the public.

7 **SECTION 2680.** 299.13 (2) (d) of the statutes is amended to read:

8 299.13 **(2)** (d) Seek federal funding to promote hazardous pollution prevention.

9 **SECTION 2680v.** 299.15 (3) (cm) 1. of the statutes is created to read:

10 299.15 **(3)** (cm) 1. In fiscal year 1999–2000, the department may not charge
11 total fees under par. (am) that exceed \$7,450,000.

12 **SECTION 2681.** 299.15 (3) (cm) 2. of the statutes is amended to read:

13 299.15 **(3)** (cm) 2. In any fiscal year after fiscal year 1999–2000, the department
14 may not charge total fees under par. (am) that exceed \$7,450,000 \$7,925,000.

15 **SECTION 2681e.** 299.15 (3) (e) of the statutes is created to read:

16 299.15 **(3)** (e) In the rules under par. (am) 3. for fees required to be paid in fiscal
17 years beginning with fiscal year 2000–01, the department shall do all of the
18 following:

19 1. Use the fees paid by a person in fiscal year 1999–2000 as the basis for the
20 person's fees.

21 2. Determine the fee for each person based on the number of units of pollutants
22 discharged by the person, using a 5–year rolling average.

23 3. Use a performance–based approach that increases a person's fees in
24 proportion to increases in the number of units of pollutants discharged by the person,
25 as determined under subd. 2., and decreases a person's fees in proportion to

1 decreases in the number of units of pollutants discharged by the person, as
2 determined under subd. 2.

3 4. Omit any multiplier or similar mechanism that would increase a person's
4 fees in order to compensate for decreases in overall amounts of discharges.

5 5. Omit any provision that would increase the fee per unit of pollutant
6 discharged in order to compensate for decreases in overall amounts of discharges.

7 **SECTION 2681k.** 299.47 of the statutes is created to read:

8 **299.47 Sale and delivery of dry cleaning solvent. (1)** In this section:

9 (a) "Dry cleaning facility" has the meaning given in s. 292.65 (1) (d).

10 (b) "Dry cleaning solvent" has the meaning given in s. 292.65 (1) (e).

11 (c) "Owner" means a person who owns, or has possession or control of, a dry
12 cleaning facility, or who receives direct or indirect consideration from the operation
13 of a dry cleaning facility.

14 (2) A supplier of dry cleaning solvent may not sell or deliver to the owner or
15 operator of a dry cleaning facility any dry cleaning solvent unless the dry cleaning
16 facility is licensed under s. 77.9961 (2).

17 (3) Any person who violates sub. (2) may be required to forfeit not more than
18 \$500 for each violation.

19 **SECTION 2682.** 299.95 of the statutes is amended to read:

20 **299.95 Enforcement; duty of department of justice; expenses.** The
21 attorney general shall enforce chs. 281 to 285 and 289 to 295 and this chapter, except
22 ss. 281.48, 285.57, 285.59 and 299.64, and all rules, special orders, licenses, plan
23 approvals and permits of the department, except those promulgated or issued under
24 ss. 281.48, 285.57, 285.59 and 299.64 and except as provided in s. 285.86. The circuit
25 court for Dane county or for any other county where a violation occurred in whole or

1 in part has jurisdiction to enforce chs. 281 to 285 and 289 to 295 or this chapter or
2 the rule, special order, license, plan approval or permit by injunctive and other
3 relief appropriate for enforcement. For purposes of this proceeding where chs. 281
4 to 285 and 289 to 295 or this chapter or the rule, special order, license, plan approval
5 or permit prohibits in whole or in part any pollution, a violation is considered a public
6 nuisance. The department of natural resources may enter into agreements with the
7 department of justice to assist with the administration of chs. 281 to 285 and 289 to
8 295 and this chapter. Any funds paid to the department of justice under these
9 agreements shall be credited to the appropriation account under s. 20.455 (1) (k).

10 **SECTION 2682m.** 299.97 (1) of the statutes is amended to read:

11 299.97 (1) Any person who violates this chapter, except s. 299.15 (1), 299.47
12 (2), 299.51 (4) (b), 299.53 (2) (a) or (3), 299.62 (2) or 299.64 (2), or any rule
13 promulgated or any plan approval, license or special order issued under this chapter,
14 except under those sections, shall forfeit not less than \$10 nor more than \$5,000, for
15 each violation. Each day of continued violation is a separate offense. While the order
16 is suspended, stayed or enjoined, this penalty does not accrue.

17 **SECTION 2683d.** 301.01 (2) (b) of the statutes is amended to read:

18 301.01 (2) (b) Any resident of a secured correctional facility, ~~as defined in s.~~
19 ~~938.02 (15m), or of a secured child caring institution, as defined in s. 938.02 (15g) or~~
20 a secured group home.

21 **SECTION 2684d.** 301.01 (3k) of the statutes is created to read:

22 301.01 (3k) "Secured child caring institution" has the meaning given in s.
23 938.02 (15g).

24 **SECTION 2685d.** 301.01 (3m) of the statutes is created to read:

1 301.01 **(3m)** “Secured correctional facility” has the meaning given in s. 938.02
2 (15m).

3 **SECTION 2686d.** 301.01 (3p) of the statutes is created to read:

4 301.01 **(3p)** “Secured group home” has the meaning given in s. 938.02 (15p).

5 **SECTION 2687d.** 301.01 (4) of the statutes is amended to read:

6 301.01 **(4)** “State correctional institution” means a state prison under s. 302.01
7 or a secured correctional facility, ~~as defined in s. 938.02 (15m), other than the~~
8 ~~Mendota Juvenile Treatment Center operated by the department.~~

9 **SECTION 2688d.** 301.027 of the statutes is amended to read:

10 **301.027 Treatment program at one or more juvenile secured**
11 **correctional institutions facilities.** The department shall maintain a
12 cottage-based intensive alcohol and other drug abuse program at one or more
13 juvenile secured correctional ~~institutions~~ facilities.

14 **SECTION 2689.** 301.029 of the statutes is created to read:

15 **301.029 Contracts requiring prisoner access to personal information.**

16 **(1)** In this section, “financial transaction card” has the meaning given in s. 943.41
17 (1) (em).

18 **(2)** (a) The department may not enter into any contract or other agreement if,
19 in the performance of the contract or agreement, a prisoner would perform data entry
20 or telemarketing services and have access to an individual’s financial transaction
21 card numbers, checking or savings account numbers or social security number or any
22 personal identifying information, as defined in s. 943.201 (1) (b), of an individual who
23 is not a prisoner.

24 (b) The department may not enter into any contract or other agreement if, in
25 the performance of the contract or agreement, a prisoner would perform data entry

1 services or telemarketing services and have access to any information that may serve
2 to identify a minor.

3 **SECTION 2689m.** 301.03 (3c) of the statutes is amended to read:

4 301.03 (3c) If requested by the department of health and family services,
5 contract with that department to supervise and provide services to persons who are
6 conditionally transferred or discharged under s. 51.37 (9), conditionally released
7 under s. 971.17 (3) or placed on supervised release under s. 980.06 (2), 1997 stats.,
8 or s. 980.08.

9 **SECTION 2690d.** 301.03 (10) (d) of the statutes is amended to read:

10 301.03 (10) (d) Administer the office of juvenile offender review in the division
11 of juvenile corrections in the department. The office shall be responsible for decisions
12 regarding case planning, the release of juvenile offenders from juvenile secured
13 correctional institutions facilities or secured child caring institutions to aftercare
14 placements and the transfer of juveniles to the Racine youthful offender correctional
15 facility named in s. 302.01 as provided in s. 938.357 (4) (d).

16 **SECTION 2691d.** 301.03 (10) (e) of the statutes is amended to read:

17 301.03 (10) (e) Provide educational programs in all secured correctional
18 facilities, ~~as defined in s. 938.02 (15m), other than the Mendota Juvenile Treatment~~
19 ~~Center~~ operated by the department.

20 **SECTION 2692d.** 301.03 (10) (f) of the statutes is amended to read:

21 301.03 (10) (f) Provide health services and psychiatric services for residents of
22 all secured correctional facilities, ~~as defined in s. 938.02 (15m), other than the~~
23 ~~Mendota Juvenile Treatment Center~~ operated by the department.

24 **SECTION 2692e.** 301.048 (2) of the statutes is renumbered 301.048 (2) (am), and
25 301.048 (2) (am) (intro.) and 2., as renumbered, are amended to read:

1 301.048 (2) (am) (intro.) ~~A~~ Except as provided in par. (bm), a person enters the
2 intensive sanctions program only if he or she has been convicted of a felony and only
3 under one of the following circumstances:

4 2. He or she is a prisoner serving a felony sentence not punishable by life
5 imprisonment and the department directs him or her to participate in the program.
6 This paragraph subdivision does not apply to a prisoner serving a bifurcated
7 sentence imposed under s. 973.01.

8 **SECTION 2692m.** 301.048 (2) (bm) of the statutes is created to read:

9 301.048 (2) (bm) 1. In this paragraph, “violent offense” means:

10 a. A crime specified in s. 940.01, 940.02, 940.03, 940.05, 940.06, 940.08, 940.09,
11 940.10, 940.19 (3), (4) or (5), 940.195 (3), (4) or (5), 940.20, 940.201, 940.203, 940.21,
12 940.225 (1) to (3), 940.23, 940.285 (2) (a) 1. or 2., 940.29, 940.295 (3) (b) 1g., 1m., 1r.,
13 2. or 3., 940.31, 940.43 (1) to (3), 940.45 (1) to (3), 941.20 (2) or (3), 941.26, 941.30,
14 941.327, 943.01 (2) (c), 943.011, 943.013, 943.02, 943.04, 943.06, 943.10 (2), 943.23
15 (1g), (1m) or (1r), 943.30, 943.32, 946.43, 947.015, 948.02 (1) or (2), 948.025, 948.03,
16 948.04, 948.05, 948.06, 948.07, 948.08 or 948.30.

17 b. A crime under federal law, the law of any other state or, prior to the effective
18 date of this subdivision 1. b. [revisor inserts date], the law of this state that is
19 comparable to a crime specified in subd. 1. a.

20 2. A person who has at any time been convicted, adjudicated delinquent or
21 found not guilty or not responsible by reason of insanity or mental disease, defect or
22 illness of or for a violent offense is not eligible for the intensive sanctions program.

23 **SECTION 2692s.** 301.048 (4) (a) of the statutes is amended to read:

24 301.048 (4) (a) A participant is in the custody and under the control of the
25 department, subject to its rules and discipline. A participant entering the program

1 under sub. (2) ~~(a) or (b)~~ (am) 1. or 2. is a prisoner. A participant entering the program
2 under sub. (2) ~~(e)~~ (am) 3. is a prisoner, except that he or she is a parolee for purposes
3 of revocation. A participant entering the program under sub. (2) ~~(em)~~ (am) 3m. is a
4 prisoner, except that he or she remains a person on extended supervision for
5 purposes of revocation. A participant entering the program under sub. (2) ~~(d)~~ (am)
6 4. is a prisoner, except that he or she remains a probationer, parolee or person on
7 extended supervision, whichever is applicable, for purposes of revocation.

8 **SECTION 2693d.** 301.08 (1) (b) 3. of the statutes is amended to read:

9 301.08 **(1)** (b) 3. Contract with public, private or voluntary agencies for the
10 supervision, maintenance and operation of secured correctional facilities, as defined
11 ~~in s. 938.02 (15m)~~, child caring institutions, as defined in s. 938.02 (2c), and secured
12 child caring institutions, ~~as defined in s. 938.02 (15g)~~, for the placement of juveniles
13 who have been convicted under s. 938.183 or adjudicated delinquent under s. 938.183
14 or 938.34 (4d), (4h) or (4m). The department may designate a secured correctional
15 facility, child caring institution or a secured child caring institution contracted for
16 under this subdivision as a Type 2 secured correctional facility, as defined in s. 938.02
17 (20), and may designate a child caring institution or secured child caring institution
18 contracted for under this subdivision as a Type 2 child caring institution, as defined
19 in s. 938.02 (19r).

20 **SECTION 2694d.** 301.08 (1) (b) 4. of the statutes is created to read:

21 301.08 **(1)** (b) 4. Contract with not more than 5 counties or with not more than
22 5 consortia of counties for the operation of not more than 5 secured group homes for
23 the placement of juveniles who have been convicted under s. 938.183 or adjudicated
24 delinquent under s. 983.183 or 938.34 (4m). The contract shall specify that the
25 county or counties operating a secured group home must comply with all rules of the

1 department that are applicable to the treatment of juveniles who are placed in a
2 secured correctional facility.

3 **SECTION 2695m.** 301.16 (1q) of the statutes is created to read:

4 301.16 (1q) The department shall establish probation and parole holding
5 facilities, one of which shall be the probation and parole holding and alcohol and
6 other drug abuse treatment facility in the city of Milwaukee, as enumerated in 1997
7 Wisconsin Act 27, section 9107 (1) (b) 1.

8 **SECTION 2698g.** 301.16 (1v) of the statutes is created to read:

9 301.16 (1v) In addition to the institutions under sub. (1), the department shall
10 establish a medium security correctional institution in Chippewa Falls.

11 **SECTION 2698m.** 301.18 (1) (c) of the statutes is created to read:

12 301.18 (1) (c) Provide the facilities necessary for the correctional institution
13 under s. 301.16 (1v) using the Highview building located at the Northern Wisconsin
14 Center for the Developmentally Disabled and converted to a correctional facility
15 under 1999 Wisconsin Act (this act), section 9107 (1) (b) 1.

16 **SECTION 2699d.** 301.205 of the statutes is amended to read:

17 **301.205 Reimbursement to visiting families.** The department may
18 reimburse families visiting girls at a secured correctional facility, ~~as defined in s.~~
19 ~~938.02 (15m).~~ If the department decides to provide the reimbursement, ~~it~~ the
20 department shall establish criteria for the level of reimbursement, which shall
21 include family income and size and other relevant factors.

22 **SECTION 2700.** 301.26 (4) (c) of the statutes is amended to read:

23 301.26 (4) (c) Notwithstanding pars. (a), (b) and (bm), the department of
24 corrections shall pay, from the appropriation ~~account~~ under s. 20.410 (3) (hm), (ho)
25 or (hr), the costs of care, services and supplies provided for each person receiving

1 services under s. 46.057, 48.366, 51.35 (3), 938.183 or 938.34 who was under the
2 guardianship of the department of health and family services pursuant to an order
3 under ch. 48 at the time that the person was adjudicated delinquent.

4 **SECTION 2701d.** 301.26 (4) (cm) 1. of the statutes is amended to read:

5 301.26 (4) (cm) 1. Notwithstanding pars. (a), (b) and (bm), the department shall
6 transfer funds from the appropriation under s. 20.410 (3) (cg) to the appropriations
7 under s. 20.410 (3) (hm), (ho) and (hr) for the purpose of reimbursing juvenile secured
8 correctional institutions facilities, secured child caring institutions, ~~as defined in s.~~
9 ~~938.02 (15g)~~, alternate care providers, aftercare supervision providers and corrective
10 sanctions supervision providers for costs incurred beginning on July 1, 1996, for the
11 care of any juvenile 14 years of age or over who has been placed in a juvenile secured
12 correctional facility based on a delinquent act that is a violation of s. 939.31, 939.32
13 (1) (a), 940.03, 940.21, 940.225 (1), 940.305, 940.31, 941.327 (2) (b) 4., 943.02, 943.10
14 (2), 943.23 (1g), (1m) or (1r), 943.32 (2), 948.02 (1), 948.025, 948.30 (2), 948.35 (1) (b)
15 or 948.36 and for the care of any juvenile 10 years of age or over who has been placed
16 in a juvenile secured correctional ~~institution or a facility or~~ secured child caring
17 institution for attempting or committing a violation of s. 940.01 or for committing a
18 violation of s. 940.02 or 940.05.

19 **SECTION 2702d.** 301.26 (4) (cm) 2. of the statutes is amended to read:

20 301.26 (4) (cm) 2. Notwithstanding pars. (a), (b) and (bm), the department shall
21 transfer funds from the appropriation under s. 20.410 (3) (cg) to the appropriations
22 under s. 20.410 (3) (hm), (ho) and (hr) for the purpose of reimbursing juvenile secured
23 correctional institutions facilities, secured child caring institutions, ~~as defined in s.~~
24 ~~938.02 (15g)~~, alternate care providers, aftercare supervision providers and corrective
25 sanctions supervision providers for costs incurred beginning on July 1, 1996, for the

1 care of any juvenile 14 years of age or over and under 18 years of age who has been
2 placed in a juvenile secured correctional facility under s. 48.366 based on a
3 delinquent act that is a violation of s. 940.01, 940.02, 940.05 or 940.225 (1).

4 **SECTION 2703d.** 301.26 (4) (d) 2. of the statutes is amended to read:

5 301.26 (4) (d) 2. Beginning on July 1, ~~1997~~ 1999, and ending on
6 December 31, ~~1997~~ 1999, the per person daily cost assessment to counties shall be
7 ~~\$150.44~~ \$153.01 for care in a Type 1 secured correctional facility, as defined in s.
8 938.02 (19), ~~\$150.44~~ \$153.01 for care for juveniles transferred from a juvenile
9 correctional institution under s. 51.35 (3), ~~\$160.22~~ \$183.72 for care in a child caring
10 institution, including a secured child caring institution, ~~\$111.16~~ \$118.93 for care in
11 a group home for children, ~~\$24.78~~ \$26.17 for care in a foster home, ~~\$71.35~~ \$75.37 for
12 care in a treatment foster home, ~~\$88.19~~ \$72.66 for departmental corrective sanctions
13 services and ~~\$16.98~~ \$19.76 for departmental aftercare services.

14 **SECTION 2703e.** 301.26 (4) (d) 3. of the statutes is amended to read:

15 301.26 (4) (d) 3. In calendar year ~~1998~~ 2000, the per person daily cost
16 assessment to counties shall be ~~\$154.94~~ \$153.55 for care in a Type 1 secured
17 correctional facility, as defined in s. 938.02 (19), ~~\$154.94~~ \$153.55 for care for juveniles
18 transferred from a juvenile correctional institution under s. 51.35 (3), ~~\$161.79~~
19 \$187.21 for care in a child caring institution, including a secured child caring
20 institution, ~~\$112.25~~ \$121.19 for care in a group home for children, ~~\$25.02~~ \$26.67 for
21 care in a foster home, ~~\$72.05~~ \$76.80 for care in a treatment foster home, ~~\$80.41~~
22 \$74.68 for departmental corrective sanctions services and ~~\$17.18~~ \$19.15 for
23 departmental aftercare services.

24 **SECTION 2703f.** 301.26 (4) (d) 4. of the statutes is amended to read:

1 301.26 (4) (d) 4. Beginning on January 1, ~~1999~~ 2001, and ending on June 30,
2 ~~1999~~ 2001, the per person daily cost assessment to counties shall be ~~\$159.46~~ \$154.08
3 for care in a Type 1 secured correctional facility, as defined in s. 938.02 (19), ~~\$159.46~~
4 \$154.08 for care for juveniles transferred from a juvenile correctional institution
5 under s. 51.35 (3), ~~\$163.36~~ \$190.70 for care in a child caring institution, including
6 a secured child caring institution, ~~\$113.34~~ \$123.45 for care in a group home for
7 children, ~~\$25.26~~ \$27.16 for care in a foster home, ~~\$72.75~~ \$78.23 for care in a
8 treatment foster home, ~~\$74.35~~ \$76.71 for departmental corrective sanctions services
9 and ~~\$17.39~~ \$18.62 for departmental aftercare services.

10 **SECTION 2706d.** 301.26 (4) (dt) of the statutes is amended to read:

11 301.26 (4) (dt) ~~For~~ Except as provided in pars. (e) to (g), for serious juvenile
12 offender services, all uniform fee collections under s. 301.03 (18) shall be credited to
13 the appropriation account under s. 20.410 (3) (hm).

14 **SECTION 2709.** 301.26 (4) (g) of the statutes is amended to read:

15 301.26 (4) (g) For juvenile field and institutional aftercare services under ch.
16 938 and for the office of juvenile offender review, all payments and deductions made
17 under this subsection and uniform fee collections under s. 301.03 (18) shall be
18 deposited ~~in the general fund and shall be treated as a nonappropriated receipt~~
19 credited to the appropriation account under s. 20.410 (3) (hm).

20 **SECTION 2709g.** 301.26 (7) (intro.) of the statutes is amended to read:

21 301.26 (7) ALLOCATIONS OF FUNDS. (intro.) Within the limits of the availability
22 of federal funds and of the appropriations under s. 20.410 (3) (cd) and (ko), the
23 department shall allocate funds for community youth and family aids for the period
24 beginning on July 1, ~~1997~~ 1999, and ending on June 30, ~~1999~~ 2001, as provided in
25 this subsection to county departments under ss. 46.215, 46.22 and 46.23 as follows:

1 **SECTION 2709h.** 301.26 (7) (a) of the statutes is renumbered 301.26 (7) (a)
2 (intro.) and amended to read:

3 301.26 (7) (a) (intro.) For community youth and family aids under this section,
4 amounts not to exceed \$41,649,700 \$42,091,800 for the last 6 months of 1997,
5 \$82,741,700 1999, \$85,183,700 for 1998 2000 and \$41,091,900 \$43,091,900 for the
6 first 6 months of 1999. 2001. Of those amounts, the department shall allocate
7 \$1,000,000 for the last 6 months of 1999, \$3,000,000 for 2000 and \$2,000,000 for the
8 first 6 months of 2001 to counties based on each of the following factors weighted
9 equally:

10 **SECTION 2709i.** 301.26 (7) (a) 1. of the statutes is created to read:

11 301.26 (7) (a) 1. Each county's proportion of the total statewide juvenile
12 population for the most recent year for which that information is available.

13 **SECTION 2709j.** 301.26 (7) (a) 2. of the statutes is created to read:

14 301.26 (7) (a) 2. Each county's proportion of the total Part I juvenile arrests
15 reported statewide under the uniform crime reporting system of the office of justice
16 assistance during the most recent 3-year period for which that information is
17 available.

18 **SECTION 2709k.** 301.26 (7) (a) 3. of the statutes is created to read:

19 301.26 (7) (a) 3. Each county's proportion of the number of juveniles statewide
20 who are placed in a juvenile correctional institution or a secured child caring
21 institution, as defined in s. 938.02 (15g), during the most recent 3-year period for
22 which that information is available.

23 **SECTION 2709L.** 301.26 (7) (a) 3. of the statutes, as created by 1999 Wisconsin
24 Act (this act), is amended to read:

1 301.26 (7) (a) 3. Each county's proportion of the number of juveniles statewide
2 who are placed in a ~~juvenile correctional institution or~~ secured correctional facility,
3 a secured child caring institution, ~~as defined in s. 938.02 (15g),~~ or a secured group
4 home during the most recent 3-year period for which that information is available.

5 **SECTION 2709m.** 301.26 (7) (e) of the statutes is amended to read:

6 301.26 (7) (e) For emergencies related to community youth and family aids
7 under this section, amounts not to exceed \$125,000 for the last 6 months of ~~1997~~
8 1999, \$250,000 for ~~1998~~ 2000 and \$125,000 for the first 6 months of ~~1999~~ 2001. A
9 county is eligible for payments under this paragraph only if it has a population of not
10 more than 45,000.

11 **SECTION 2709n.** 301.26 (7) (h) of the statutes is amended to read:

12 301.26 (7) (h) For counties that are participating in the corrective sanctions
13 program under s. 938.533 (2), \$1,062,400 in the last 6 months of ~~1997~~ 1999,
14 \$2,124,800 in ~~1998~~ 2000 and \$1,062,400 in the first 6 months of ~~1999~~ 2001 for the
15 provision of corrective sanctions services for juveniles from that county. In
16 distributing funds to counties under this paragraph, the department shall determine
17 a county's distribution by dividing the amount allocated under this paragraph by the
18 number of slots authorized for the program under s. 938.533 (2) and multiplying the
19 quotient by the number of slots allocated to that county by agreement between the
20 department and the county. The department may transfer funds among counties as
21 necessary to distribute funds based on the number of slots allocated to each county.

22 **SECTION 2709p.** 301.26 (8) of the statutes is amended to read:

23 301.26 (8) ALCOHOL AND OTHER DRUG ABUSE TREATMENT. From the amount of the
24 allocations specified in sub. (7) (a), the department shall allocate \$666,700 in the last

1 6 months of ~~1997~~ 1999, \$1,333,400 in ~~1998~~ 2000 and \$666,700 in the first 6 months
2 of ~~1999~~ 2001 for alcohol and other drug abuse treatment programs.

3 **SECTION 2709r.** 301.263 (1) of the statutes is amended to read:

4 301.263 (1) From the appropriation under s. 20.410 (3) (f), the department shall
5 distribute ~~\$3,750,000~~ \$5,000,000 in each year to counties for early intervention
6 services for first offenders and for intensive community-based intervention services
7 for seriously chronic offenders.

8 **SECTION 2710d.** 301.263 (3) of the statutes is amended to read:

9 301.263 (3) The department shall distribute 33% of the amounts distributed
10 under sub. (1) based on each county's proportion of the violent Part I juvenile arrests
11 reported statewide under the uniform crime reporting system of the office of justice
12 assistance in the department of administration, during the most recent 2-year
13 period for which that information is available. The department shall distribute 33%
14 of the amounts distributed under sub. (1) based on each county's proportion of the
15 number of juveniles statewide who are placed in a juvenile secured correctional
16 ~~institution or facility~~, a secured child caring institution, ~~as defined in s. 938.02 (15g),~~
17 or a secured group home during the most recent 2-year period for which that
18 information is available. The department shall distribute 34% of the amounts
19 distributed under sub. (1) based on each county's proportion of the total Part I
20 juvenile arrests reported statewide under the uniform crime reporting system of the
21 office of justice assistance, during the most recent 2-year period for which that
22 information is available.

23 **SECTION 2710m.** 301.265 (3) of the statutes is amended to read:

24 301.265 (3) From the appropriations under s. 20.410 (3) (d) and (kj), the
25 department shall allocate \$150,000 in each fiscal year to enter into a contract with

1 an organization to provide services in Racine County, \$150,000 in each fiscal year to
2 enter into a contract with an organization to provide services in Kenosha County,
3 \$150,000 in each fiscal year to enter into a contract with an organization that is
4 located in ward 1 in the city of Racine to provide services in Racine County and
5 ~~\$75,000~~ \$150,000 in each fiscal year to enter into a contract with an organization to
6 provide services in Brown County, for the diversion of youths from gang activities
7 into productive activities, including placement in appropriate educational,
8 recreational and employment programs, and for alcohol or other drug abuse
9 education and treatment services for participants in that organization's youth
10 diversion program. The organization that is located in ward 1 in the city of Racine
11 shall have a recreational facility, shall offer programs to divert youths from gang
12 activities, may not be affiliated with any national or state association and may not
13 have entered into a contract under s. 301.265 (3), 1995 stats. Notwithstanding s.
14 16.75, the department may enter into a contract under this subsection without
15 soliciting bids or proposals and without accepting the lowest responsible bid or offer.

16 **SECTION 2711.** 301.27 (2) of the statutes is amended to read:

17 301.27 (2) VENDING STANDS. The department shall establish and maintain a
18 revolving fund not exceeding ~~\$60,000~~ \$100,000 in any of the state institutions
19 administered by the department, for the education, recreation and convenience of
20 the patients, inmates and employes, to be used for the operation of vending stands,
21 canteen operations, reading clubs, musical organizations, religious programs,
22 athletics and similar projects. The funds are exempt from s. 20.906, but are subject
23 to audit by the department and the legislative audit bureau in its discretion.

24 **SECTION 2712d.** 301.36 (1) of the statutes is amended to read:

1 301.36 (1) GENERAL AUTHORITY. The department shall investigate and
2 supervise all of the state ~~correctional institutions~~ prisons under s. 302.01, all secured
3 correctional facilities, all secured child caring institutions, all secured group homes
4 and all secure detention facilities and familiarize itself with all of the circumstances
5 affecting their management and usefulness.

6 **SECTION 2713d.** 301.37 (1) of the statutes is amended to read:

7 301.37 (1) The department shall fix reasonable standards and regulations for
8 the design, construction, repair and maintenance of all houses of correction,
9 reforestation camps maintained under s. 303.07, jails as defined in s. 302.30,
10 extensions of jails under s. 59.54 (14) (g), rehabilitation facilities under s. 59.53 (8),
11 lockup facilities as defined in s. 302.30, work camps under s. 303.10, Huber facilities
12 under s. 303.09 and, after consulting with the department of health and family
13 services, all secured group homes and secure detention facilities, with respect to
14 their adequacy and fitness for the needs which they are to serve.

15 **SECTION 2714d.** 301.45 (1) (b) of the statutes is amended to read:

16 301.45 (1) (b) Is in prison, a secured correctional facility, ~~as defined in s. 938.02~~
17 ~~(15m), or a secured child caring institution, as defined in s. 938.02 (15g), or a secured~~
18 group home or is on probation, extended supervision, parole, supervision or aftercare
19 supervision on or after December 25, 1993, for any violation, or for the solicitation,
20 conspiracy or attempt to commit any violation, of s. 940.22 (2), 940.225 (1), (2) or (3),
21 944.06, 948.02 (1) or (2), 948.025, 948.05, 948.055, 948.06, 948.07, 948.08, 948.11 or
22 948.30, or of s. 940.30 or 940.31 if the victim was a minor and the person was not the
23 victim's parent.

24 **SECTION 2715d.** 301.45 (1) (bm) of the statutes is amended to read:

1 301.45 (1) (bm) Is in prison, a secured correctional facility, ~~as defined in s.~~
2 ~~938.02 (15m)~~, or a secured child caring institution, ~~as defined in s. 938.02 (15g)~~, or
3 a secured group home or is on probation, extended supervision, parole, supervision
4 or aftercare supervision on or after December 25, 1993, for a violation, or for the
5 solicitation, conspiracy or attempt to commit a violation, of a law of this state that
6 is comparable to s. 940.22 (2), 940.225 (1), (2) or (3), 944.06, 948.02 (1) or (2), 948.025,
7 948.05, 948.055, 948.06, 948.07, 948.08, 948.11 or 948.30 or that is comparable to a
8 violation of s. 940.30 or 940.31 if the victim was a minor and the person was not the
9 victim's parent.

10 **SECTION 2716d.** 301.45 (3) (a) 2. of the statutes is amended to read:

11 301.45 (3) (a) 2. If the person has been sentenced to prison or placed in a secured
12 correctional facility ~~or~~, a secured child caring institution or a secured group home,
13 he or she is subject to this subsection upon being released on parole, extended
14 supervision or aftercare supervision.

15 **SECTION 2717j.** 301.45 (3) (a) 3r. of the statutes is amended to read:

16 301.45 (3) (a) 3r. If the person has been committed under ch. 980, he or she is
17 subject to this subsection upon being placed on supervised release under s. 980.06
18 (2), 1997 stats. or s. 980.08 or, if he or she was not placed on supervised release,
19 before being discharged under s. 980.09 or 980.10.

20 **SECTION 2717m.** 301.45 (5) (a) 2. of the statutes is amended to read:

21 301.45 (5) (a) 2. If the person has been sentenced to prison or placed in a secured
22 correctional facility ~~or~~, a secured child caring institution or a secured group home,
23 15 years after discharge from parole or aftercare supervision.

24 **SECTION 2718.** 302.01 of the statutes is amended to read:

1 **302.01 State prisons named and defined.** The penitentiary at Waupun is
2 named “Waupun Correctional Institution”. The correctional treatment center at
3 Waupun is named “Dodge Correctional Institution”. The penitentiary at Green Bay
4 is named “Green Bay Correctional Institution”. The medium/maximum penitentiary
5 at Portage is named “Columbia Correctional Institution”. The medium security
6 institution at Oshkosh is named “Oshkosh Correctional Institution”. The medium
7 security penitentiary near Fox Lake is named “Fox Lake Correctional Institution”.
8 The penitentiary at Taycheedah is named “Taycheedah Correctional Institution”.
9 The medium security penitentiary at Plymouth is named “Kettle Moraine
10 Correctional Institution”. The penitentiary at the village of Sturtevant in Racine
11 county is named “Racine Correctional Institution”. The medium security
12 penitentiary at Racine is named “Racine Youthful Offender Correctional Facility”.
13 The resource facility at Oshkosh is named “Wisconsin Resource Center”. The
14 institutions named in this section, the correctional ~~institution~~ institutions
15 authorized under s. 301.16 (1n) and (1v), correctional institution authorized under
16 1997 Wisconsin Act 4, section 4 (1) (a), correctional institution authorized under s.
17 301.046 (1), correctional institution authorized under s. 301.048 (4) (b), minimum
18 security correctional institutions authorized under s. 301.13, the probation and
19 parole holding facilities authorized under s. 301.16 (1q) and state–local shared
20 correctional facilities when established under s. 301.14, are state prisons.

21 **SECTION 2718e.** 303.01 (2) (em) of the statutes is amended to read:

22 303.01 (2) (em) Lease space, with or without equipment, within the precincts
23 of state prisons, as specified in s. 302.02, or within the confines of correctional
24 institutions operated by the department for holding in secure custody persons
25 adjudged delinquent, to not more than 6 private businesses to employ prison inmates

1 and institution residents to manufacture products or components or to provide
2 services for sale on the open market. The department shall comply with s. 16.75 in
3 selecting businesses under this paragraph. The department may enter into a
4 contract under this paragraph only with the approval of the joint committee on
5 finance. The department may not enter into or amend a contract under this
6 paragraph unless the contract or amendment specifies each state prison or juvenile
7 correctional institution at which the private business will employ inmates or
8 institution residents. The private business may not employ inmates or institution
9 residents at a state prison or juvenile correctional institution not specified in the
10 contract without the approval of the joint committee on finance. The department
11 shall consult with appropriate trade organizations and labor unions prior to issuing
12 requests for proposals and prior to selecting proposals under this paragraph. Each
13 such private business may conduct its operations as a private business, subject to the
14 wage standards under sub. (4), the disposition of earnings under sub. (8), the
15 provisions regarding displacement in sub. (11), the requirements for notification and
16 hearing under sub. (1) (c), the requirement for prison industries board approval
17 under s. 303.015 (1) (b) and the authority of the department to maintain security and
18 control in its institutions. The private business and its operations are not a prison
19 industry. Inmates employed by the private business are not subject to the
20 requirements of inmates participating in prison industries, except as provided in this
21 paragraph;

22 **SECTION 2718em.** 303.01 (2) (em) of the statutes, as affected by 1999 Wisconsin
23 Act (this act), is repealed.

24 **SECTION 2718g.** 303.01 (8) (b) of the statutes is amended to read:

1 303.01 **(8)** (b) The department shall distribute earnings of an inmate or
2 resident, ~~other than an inmate or resident employed under sub. (2) (em)~~, for the crime
3 victim and witness assistance surcharge under s. 973.045 (4), for the delinquency
4 victim and witness assistance surcharge under s. 938.34 (8d) (c), for the
5 deoxyribonucleic acid analysis surcharge under s. 973.046 (4) and for compliance
6 with s. 303.06 (2) and may distribute earnings for the support of the inmate's or
7 resident's dependents and for other obligations either acknowledged by the inmate
8 or resident in writing or which have been reduced to judgment that may be satisfied
9 according to law.

10 **SECTION 2718h.** 303.01 (8) (c) of the statutes is repealed.

11 **SECTION 2718L.** 303.01 (8) (d) of the statutes is repealed.

12 **SECTION 2718p.** 303.01 (8) (e) of the statutes is repealed.

13 **SECTION 2718q.** 303.01 (11) of the statutes is created to read:

14 303.01 **(11)** DISPLACEMENT. (a) In this subsection:

15 1. "Displace an employe" means to lay off an employe in this state as a direct
16 result of work being performed in a state prison or juvenile correctional institution
17 under a prison contract or to permanently transfer an employe in this state to
18 another job that reduces the employe's base pay, excluding overtime, differentials
19 and bonuses, by more than 25% as a direct result of work being performed in a state
20 prison or juvenile correctional institution under a prison contract.

21 2. "Prison contract" means a contract entered into by the department under
22 sub. (2) (em).

23 3. "Private employer" means a private business that is a party to a prison
24 contract.

1 (b) A private employer may not displace an employe or cause another private
2 business to displace an employe.

3 (c) A private employer may not employ inmates or institution residents under
4 a prison contract if any of the following applies:

5 1. The inmates or institution residents are to be employed in a skill, craft or
6 trade in which there is a surplus of available labor in the locality of the private
7 employer.

8 2. The employment of the inmates or institution residents will impair the
9 performance of other contracts to which the private employer is a party.

10 3. The inmates or institution residents will replace employes who are on strike
11 against the private employer or locked out of work.

12 (d) A private employer shall post in all of its workplaces a notice provided by
13 the department containing a description of the nature of the prison contract and an
14 explanation of what it means for an employe of a private employer to be displaced
15 under this subsection and identifying a person at the department whom an employe
16 of a private employer may contact if the employe believes that he or she may have
17 been displaced by a prison contract.

18 **SECTION 2718qm.** 303.01 (11) of the statutes, as created by 1999 Wisconsin Act
19 (this act), is repealed.

20 **SECTION 2718v.** 303.06 (3) of the statutes is repealed.

21 **SECTION 2718w.** 303.08 (1) (cn) of the statutes is created to read:

22 303.08 (1) (cn) Attending court proceedings to which the person is a party or
23 for which the person has been subpoenaed as a witness;

24 **SECTION 2718wc.** 303.08 (5) (a) of the statutes is renumbered 303.08 (5) (cg).

25 **SECTION 2718wg.** 303.08 (5) (b) of the statutes is amended to read:

1 303.08 (5) (b) Necessary travel expense to and from work ~~and other;~~

2 ~~(cr) Other~~ incidental expenses of the prisoner;

3 **SECTION 2718wL.** 303.08 (5) (c) of the statutes is amended to read:

4 303.08 (5) (c) ~~Support~~ Court-ordered support of the prisoner's dependents, if
5 any;

6 **SECTION 2718wq.** 303.08 (5m) of the statutes is amended to read:

7 303.08 (5m) A county may receive payments under sub. (5) ~~(a) and (b), (cg) and~~
8 ~~(cr)~~ or seek reimbursement under s. 302.372, but may not collect for the same
9 expenses twice.

10 **SECTION 2718y.** 303.21 (1) (b) of the statutes is amended to read:

11 303.21 (1) (b) Inmates are included under par. (a) if they are participating in
12 a structured work program away from the institution grounds under s. 302.15 or a
13 secure work program under s. 303.063. Inmates are not included under par. (a) if
14 they are employed in a prison industry under s. 303.06 (2), participating in a work
15 release program under s. 303.065 (2), ~~participating in employment with a private~~
16 ~~business under s. 303.01 (2) (em)~~ or participating in the transitional employment
17 program, but they are eligible for worker's compensation benefits under ch. 102.
18 Residents subject to s. 303.01 (1) (b) are not included under par. (a) but they are
19 eligible for worker's compensation benefits under ch. 102.

20 **SECTION 2718yn.** 304.137 of the statutes is renumbered 304.137 (1) and
21 amended to read:

22 304.137 (1) PERSONS RELEASED OR PLACED ON PROBATION BEFORE JANUARY 1, 2000.

23 If the department accepts supervision of a probationer, person on extended
24 supervision or parolee from another state under s. 304.13 or 304.135 and the person
25 was placed on probation or released on parole or extended supervision before

1 January 1, 2000, the department shall determine whether the violation of law for
2 which the person is on probation, extended supervision or parole is comparable to a
3 violation of s. 940.225 (1) or (2), 948.02 (1) or (2) or 948.025. If the department
4 determines that a person on probation, extended supervision or parole from another
5 state who is subject to this subsection violated a law that is comparable to a violation
6 of s. 940.225 (1) or (2), 948.02 (1) or (2) or 948.025, the department shall direct the
7 probationer, person on extended supervision or parolee to provide a biological
8 specimen under s. 165.76.

9 **SECTION 2718z.** 304.137 (2) of the statutes is created to read:

10 **304.137 (2)** PERSONS RELEASED OR PLACED ON PROBATION ON OR AFTER
11 JANUARY 1, 2000. If the department accepts supervision of a probationer, person on
12 extended supervision or parolee from another state under s. 304.13 or 304.135 and
13 the person was placed on probation or released on parole or extended supervision on
14 or after January 1, 2000, the department shall determine whether the violation of
15 law for which the person is on probation, extended supervision or parole would
16 constitute a felony if committed by an adult in this state. If the department
17 determines that a person on probation, extended supervision or parole from another
18 state who is subject to this subsection violated a law that would constitute a felony
19 if committed by an adult in this state, the department shall direct the probationer,
20 person on extended supervision or parolee to provide a biological specimen under s.
21 165.76.

22 **SECTION 2720dd.** 340.01 (11) (intro.) of the statutes is amended to read:

23 **340.01 (11)** (intro.) “Dealer” means a person who, for a commission or other
24 thing of value, sells, exchanges, buys or rents, or offers or attempts to negotiate a sale
25 or exchange of an interest in motor vehicles, ~~mobile homes~~ recreational vehicles,

1 trailers or semitrailers, or who is engaged wholly or in part in the business of selling
2 motor vehicles, ~~mobile homes~~ recreational vehicles, trailers or semitrailers, whether
3 or not such vehicles are owned by that person, but not including:

4 **SECTION 2720dh.** 340.01 (14) of the statutes is amended to read:

5 340.01 (14) “Distributor” means a person who in whole or in part sells or
6 distributes motor vehicles, ~~mobile homes~~ recreational vehicles, trailers or
7 semitrailers to dealers, or who maintains distributor representatives.

8 **SECTION 2720dp.** 340.01 (28) of the statutes is amended to read:

9 340.01 (28) “Manufacturer” means a person who manufactures or assembles
10 motor vehicles, ~~mobile homes~~ recreational vehicles, trailers or semitrailers, or who
11 manufactures or installs on previously assembled truck chassis special bodies or
12 equipment which when installed form an integral part of the motor vehicle and
13 which constitutes a major manufacturing alteration.

14 **SECTION 2720dt.** 340.01 (29) of the statutes is amended to read:

15 340.01 (29) “Mobile home” means a vehicle designed to be towed as a single unit
16 or in sections upon a highway by a motor vehicle and equipped and used or intended
17 to be used, primarily for human habitation, with walls of rigid uncollapsible
18 construction. ~~A mobile home exceeding statutory size under s. 348.07 (2) shall be~~
19 ~~considered a primary housing unit. A mobile home not exceeding the statutory size~~
20 ~~under s. 348.07 (2) shall be considered a touring or recreational unit.~~

21 **SECTION 2720du.** 340.01 (29m) (a) of the statutes is amended to read:

22 340.01 (29m) (a) A bicycle-type vehicle with fully operative pedals for
23 propulsion by human power and an engine certified by the manufacturer at not more
24 than 50 130 cubic centimeters or an equivalent power unit.

25 **SECTION 2720hd.** 340.01 (48r) of the statutes is created to read:

1 340.01 **(48r)** “Recreational vehicle” means a mobile home that does not exceed
2 the statutory size under s. 348.07 (2).

3 **SECTION 2720hh.** 340.01 (72) (a) of the statutes is amended to read:

4 340.01 **(72)** (a) A person engaged in this state in the business of transporting
5 and delivering motor vehicles, trailers, semitrailers or ~~mobile homes~~ recreational
6 vehicles in tow on their own wheels or under their own power from the manufacturer
7 to the distributor, dealer or branch of the manufacturer, or from the distributor or
8 dealer to another distributor or dealer, the manufacturer or branch of the
9 manufacturer or from the branch of the manufacturer to the distributor, dealer or
10 manufacturer.

11 **SECTION 2720hp.** 341.04 (1) (intro.) of the statutes is amended to read:

12 341.04 **(1)** (intro.) It is unlawful for any person to operate or for an owner to
13 consent to being operated on any highway of this state any motor vehicle, ~~mobile~~
14 ~~home~~ recreational vehicle, trailer or semitrailer or any other vehicle for which a
15 registration fee is specifically prescribed unless at the time of operation the vehicle
16 in question either is registered in this state, or, except for registration under s. 341.30
17 or 341.305, a complete application for registration, including evidence of any
18 inspection under s. 110.20 when required, accompanied by the required fee has been
19 delivered to the department, submitted to a dealer under s. 341.09 (2m) for
20 transmittal to the department or deposited in the mail properly addressed with
21 postage prepaid and, if the vehicle is an automobile, station wagon or motor truck
22 having a registered weight of 8,000 pounds or less, the vehicle displays a temporary
23 operation plate issued for the vehicle unless the operator or owner of the vehicle
24 produces proof that operation of the vehicle is within 2 business days of the vehicle’s
25 sale or transfer, or the vehicle in question is exempt from registration.

1 **SECTION 2720hr.** 341.05 (26) of the statutes is created to read:

2 341.05 **(26)** (a) Is a mobile home, as defined in s. 101.91 (2e), or a manufactured
3 home, as defined in s. 101.91 (2).

4 (b) Is a structure that is transportable in one or more sections and that is built
5 on a permanent chassis and designed to be used as a dwelling with or without a
6 permanent foundation when connected to the required utilities, if the structure's
7 manufacturer voluntarily files a certification required by the secretary of the U.S.
8 department of housing and urban development and complies with regulations
9 established under 42 USC 5401 to 5425.

10 **SECTION 2720ht.** 341.12 (1) of the statutes is amended to read:

11 341.12 **(1)** The department upon registering a vehicle pursuant to s. 341.25 or
12 341.30 shall issue and deliver prepaid to the applicant 2 registration plates for an
13 automobile, motor truck, motor bus, school bus, self-propelled ~~mobile home~~
14 recreational vehicle or dual purpose motor home and one plate for other vehicles.
15 The department upon registering a vehicle pursuant to any other section shall issue
16 one plate unless the department determines that 2 plates will better serve the
17 interests of law enforcement.

18 **SECTION 2721.** 341.135 (1) of the statutes is amended to read:

19 341.135 **(1)** DESIGN. ~~The~~ Not later than July 1, 2000, and every 6th year
20 thereafter, the department shall establish new designs of registration plates to be
21 issued under ss. 341.14 (1a), (1m), (1q), (2), (2m), (6m) or (6r), 341.25 (1) (a), (c), (h)
22 and (j) and (2) (a), (b) and (c) and 341.26 (2) and (3) (a) 1. and (am). ~~The~~ Any design
23 for registration plates issued for automobiles and for vehicles registered on the basis
24 of gross weight shall comply with the applicable design requirements of ss. 341.12
25 (3), 341.13 and 341.14 (6r) (c). The designs for registration plates specified in this

1 subsection shall be as similar in appearance as practicable during each 6-year
2 design interval. Each registration plate issued under s. 341.14 (1a), (1m), (1q), (2),
3 (2m), (6m) or (6r), 341.25 (1) (a), (c), (h) or (j) or (2) (a), (b) or (c) or 341.26 (2) or (3)
4 (a) 1. or (am) during each 6-year design interval shall be of the design established
5 under this subsection. The department may not redesign registration plates for the
6 special group under s. 341.14 (6r) (f) 53. until January 1, 2005.

7 **SECTION 2722.** 341.135 (2) (a) of the statutes is renumbered 341.135 (2) (a) 1.
8 and amended to read:

9 341.135 **(2)** (a) 1. Beginning with registrations initially effective on
10 July 1, 2000, upon receipt of a completed application to initially register a vehicle
11 under s. 341.14 (1a), (1m), (1q), (2), (2m), (6m) or (6r), except s. 341.14 (6r) (f) ~~52.~~ 53.,
12 or s. 341.25 (1) (a), (c), (h) ~~and or~~ (j) ~~and or~~ (2) (a), (b) ~~and or~~ (c) or 341.26 (2) ~~and or~~
13 (3) (a) 1. ~~and or~~ (am), the department shall issue and deliver prepaid to the applicant
14 2 new registration plates of the design established under sub. (1).

15 (am) Notwithstanding ss. 341.13 (3) and (3m), beginning with registrations
16 initially effective on July 1, 2000, upon receipt of a completed application to renew
17 the registration of a vehicle registered under s. 341.14 (1a), (1m), (1q), (2), (2m), (6m)
18 or (6r), except s. 341.14 (6r) (f) ~~52.~~ 53., or s. 341.25 (1) (a), (c), (h) ~~and or~~ (j) ~~and or~~ (2)
19 (a), (b) ~~and or~~ (c) for which a registration plate of the design established under sub.
20 (1) has not been issued, the department may issue and deliver prepaid to the
21 applicant 2 new registration plates of the design established under sub. (1). This
22 paragraph does not apply to registration plates issued under s. 341.14 (6r) (f) 52..
23 1997 stats. This paragraph does not apply after June 30, 2005.

24 **SECTION 2723.** 341.135 (2) (a) 2. of the statutes is created to read:

1 341.135 **(2)** (a) 2. Notwithstanding s. 341.13 (3), beginning with registrations
2 initially effective on July 1, 2005, upon receipt of a completed application to initially
3 register a vehicle under s. 341.14 (1a), (1m), (1q), (2), (2m), (6m) or (6r), or s. 341.25
4 (1) (a), (c), (h) or (j) or (2) (a), (b) or (c) or 341.26 (2) or (3) (a) 1. or (am), or to renew
5 the registration of a vehicle under those sections for which a registration plate has
6 not been issued during the previous 6 years, the department shall issue and deliver
7 prepaid to the applicant 2 new registration plates of the design established for that
8 6-year period under sub. (1).

9 **SECTION 2724.** 341.135 (2) (e) of the statutes is amended to read:

10 341.135 **(2)** (e) The department shall issue new registration plates of the design
11 established under sub. (1) for every vehicle registered under ~~ss. s.~~ s. 341.14 (1a), (1m),
12 (1q), (2), (2m), (6m) or (6r), 341.25 (1) (a), (c), (h) ~~and or~~ (j) ~~and or~~ (2) (a), (b) ~~and or~~
13 (c) ~~and or~~ 341.26 (2) ~~and or~~ (3) (a) 1. ~~and or~~ (am) by July 1, 2003 within 5 years after
14 the date specified in sub. (1), except that the department may not issue registration
15 plates of a new design for a vehicle registered under s. 341.14 (6r) (f) 53. until
16 January 1, 2005.

17 **SECTION 2725.** 341.135 (3) of the statutes is repealed.

18 **SECTION 2726.** 341.14 (6m) (a) of the statutes is amended to read:

19 341.14 **(6m)** (a) Upon application to register an automobile, station wagon or
20 motor truck which has a gross weight of not more than 8,000 pounds by any person
21 who is a resident of this state and a member or retired member of the national guard,
22 the department shall issue to the person special plates whose colors and design shall
23 be determined by the department, ~~after consultation with the adjutant general,~~ and
24 which have the words “Wisconsin guard member” placed on the plates in the manner
25 designated by the department. The department shall consult with or obtain the

1 approval of the adjutant general with respect to any word or symbol used to identify
2 the national guard. An additional fee of \$10 shall be charged for the issuance of the
3 plates. Registration plates issued under this subsection shall expire annually.

4 **SECTION 2726v.** 341.14 (6r) (bm) of the statutes is created to read:

5 341.14 (6r) (bm) Upon receipt of an application for a special group plate under
6 par. (f) 53., a person authorized to issue registration plates shall forward the
7 application to the department's special license plate unit. The department may not
8 charge a fee for forwarding an application under this paragraph.

9 **SECTION 2727.** 341.14 (6r) (c) of the statutes is amended to read:

10 341.14 (6r) (c) Special group plates shall display the word "Wisconsin", the
11 name of the applicable authorized special group, a symbol representing the special
12 group, not exceeding one position, and identifying letters or numbers or both, not
13 exceeding 6 positions and not less than one position. The department shall specify
14 the design for special group plates, but the department shall consult the president
15 of the university University of Wisconsin system System before specifying the design
16 ~~for word or symbol used to identify~~ the special group plates groups under par. (f) 35.
17 to 47., the secretary of natural resources before specifying the design ~~for word or~~
18 symbol used to identify the special group plate group under par. (f) 50. and the child
19 abuse and neglect prevention board before specifying the design ~~for word or symbol~~
20 used to identify the special group plate under par. (f) 53. Special group plates under
21 par. (f) 50. shall be as similar as possible to regular registration plates in color and
22 design.

23 **SECTION 2728.** 341.14 (6r) (e) of the statutes is amended to read:

24 341.14 (6r) (e) The department shall specify one combination of colors for
25 special group plates for groups or organizations which are not military in nature and

1 not special group plates under par. (f) 35. to 47. and 50. The department, after
2 consulting the president of the university of Wisconsin system, shall specify one
3 combination of colors for special group plates under par. (f) 35. to 47. The department
4 shall specify the word or words comprising the special group name and the symbol
5 to be displayed upon special group plates for a group or organization which is not
6 military in nature after consultation with the chief executive officer in this state of
7 the group or organization, except that the department may not specify the word or
8 words or the symbol for special group plates under par. (f) 35. to 47. unless the word
9 or words or symbol is approved in writing by the president of the university of
10 Wisconsin system or, with respect to endangered resources, specify the word or words
11 or the symbol for special group plates under par. (f) 50. unless the word or words or
12 symbol is approved in writing by the secretary of natural resources or, with respect
13 to child abuse and neglect prevention, specify any word or words other than
14 "Children First" or the symbol for special group plates under par. (f) 53. unless the
15 word or words or symbol is approved in writing by the child abuse and neglect
16 prevention board. The president may not approve the word or words or symbol for
17 a university specified under par. (f) 35. to 47. unless the chancellor of the university
18 approves in writing the word or words or symbol. The department shall require that
19 the word or words and symbol for a university specified under par. (f) 35. to 47. be
20 a registration decal or tag and affixed to the special group plate and be of the colors
21 for a university specified under par. (f) 35. to 47. that the president of the university
22 University of Wisconsin system System specifies.

23 **SECTION 2729.** 341.14 (6r) (f) 53. of the statutes is amended to read:

1 341.14 **(6r)** (f) 53. Persons interested in obtaining a plate with the words
2 “~~Children First~~” “Celebrate Children” on it to show their support of the prevention
3 of child abuse and neglect.

4 **SECTION 2730.** 341.19 (1) (b) of the statutes is amended to read:

5 341.19 **(1)** (b) ~~Five~~ Ten dollars per vehicle as a late payment for fees received
6 after the time period established by the department.

7 **SECTION 2730m.** 341.25 (1) (intro.) of the statutes is amended to read:

8 341.25 **(1)** (intro.) Unless a different fee is prescribed for a particular vehicle
9 by par. (b) or ss. 341.26 to 341.268, the following registration fees shall be paid to the
10 department for the annual registration of each motor vehicle, ~~mobile home~~
11 recreational vehicle, trailer or semitrailer not exempted by s. 341.05 from
12 registration in this state:

13 **SECTION 2731.** 341.25 (1) (gd) of the statutes is amended to read:

14 341.25 **(1)** (gd) For each trailer or semitrailer ~~or camping trailer~~ having a gross
15 weight of 3,000 pounds or less and used for hire or rental, a fee which is one-half of
16 the fee prescribed for a motor truck of the same maximum gross weight. The
17 maximum gross weight shall be determined in the same manner as for a motor truck.
18 A trailer under this paragraph which is part of a fleet of 100 or more trailers used
19 for hire or rental may be registered under s. 341.308.

20 **SECTION 2732.** 341.25 (1) (i) of the statutes is amended to read:

21 341.25 **(1)** (i) For each mobile home, and for each camping trailer ~~having a gross~~
22 ~~weight of more than 3,000 pounds~~, a fee of \$15.

23 **SECTION 2732d.** 341.25 (1) (i) of the statutes, as affected by 1999 Wisconsin Act
24 (this act), is amended to read:

1 341.25 (1) (i) For each ~~mobile home~~ recreational vehicle, and for each camping
2 trailer, a fee of \$15.

3 **SECTION 2734b.** 341.26 (2g) of the statutes is repealed.

4 **SECTION 2734dd.** 341.47 (1) (intro.) of the statutes is amended to read:

5 341.47 (1) (intro.) Except as provided in sub. (2), any motor vehicle, ~~mobile~~
6 ~~home~~ recreational vehicle, trailer or semitrailer owned or repossessed by a dealer,
7 distributor or manufacturer may be operated on the highways of this state for either
8 private or business purposes without being registered if such vehicle has displayed
9 upon it valid registration plates issued pursuant to s. 341.51 to the dealer, distributor
10 or manufacturer who is the owner of the vehicle or holder of the repossessed vehicle
11 and such vehicle:

12 **SECTION 2734dh.** 341.51 (1) of the statutes is amended to read:

13 341.51 (1) The department shall register a person as a dealer, distributor or
14 manufacturer of motor vehicles, trailers or semitrailers or as a transporter of
15 vehicles upon receipt of a properly completed application form together with a fee of
16 \$75 and upon being satisfied that the applicant is by law entitled to be registered.
17 The department shall register a person as a dealer, distributor or manufacturer of
18 ~~mobile homes~~ recreational vehicles upon receipt of a properly completed application
19 form together with a fee of \$75 and upon being satisfied that the applicant is by law
20 entitled to be so registered. The department shall assign to each person registered
21 under this section a distinctive registration number and shall issue a certificate of
22 registration bearing the registration number assigned.

23 **SECTION 2734dp.** 341.51 (2) of the statutes is amended to read:

24 341.51 (2) Upon registering a dealer, distributor, manufacturer or transporter
25 the department also shall issue 2 registration plates. The department, upon

1 receiving a fee of \$5 for each additional plate desired by a dealer, distributor or
2 manufacturer of motor vehicles, trailers or semitrailers, \$5 for each additional plate
3 desired by a dealer, distributor or manufacturer of ~~mobile homes~~ recreational
4 vehicles and \$5 for each additional plate desired by a transporter, shall issue to the
5 registered dealer, distributor, manufacturer or transporter the additional plates as
6 ordered. The department may charge a fee of \$2 per plate for replacing lost, damaged
7 or illegible plates issued under this subsection.

8 **SECTION 2734dq.** 341.51 (4) (am) of the statutes is amended to read:

9 341.51 (4) (am) If Except as provided in par. (an), if the applicant is an
10 individual, the social security number of the individual.

11 **SECTION 2734dr.** 341.51 (4) (an) of the statutes is created to read:

12 341.51 (4) (an) If the applicant is an individual who does not have a social
13 security number, a statement made or subscribed under oath or affirmation that the
14 applicant does not have a social security number. The form of the statement shall
15 be prescribed by the department of workforce development. A registration that is
16 issued under this section in reliance on a statement submitted under this paragraph
17 is invalid if the statement is false.

18 **SECTION 2734dt.** 341.53 of the statutes is amended to read:

19 **341.53 Expiration of registration; transferability of plates.** Certificates
20 of registration and registration plates issued to dealers, distributors, manufacturers
21 or transporters shall be issued for the calendar year and are valid only during the
22 calendar year for which issued. Registration plates are transferable from one motor
23 vehicle, trailer or semitrailer to another motor vehicle, trailer or semitrailer and
24 from one ~~mobile home~~ recreational vehicle to another.

25 **SECTION 2734hd.** 341.62 of the statutes is amended to read:

1 **341.62 False evidence of registration.** Whoever operates or possesses a
2 motor vehicle, ~~mobile home~~ recreational vehicle, trailer or semitrailer having
3 attached thereto any plate or similar device fashioned in imitation or facsimile of or
4 altered so as to resemble a registration plate issued by the department may be
5 required to forfeit not more than \$500.

6 **SECTION 2734he.** 342.06 (1) (eg) of the statutes is amended to read:

7 342.06 (1) (eg) If Except as provided in par. (eh), if the applicant is an
8 individual, the social security number of the applicant. The department of
9 transportation may not disclose a social security number obtained under this
10 paragraph to any person except to the department of workforce development for the
11 sole purpose of administering s. 49.22.

12 **SECTION 2734hed.** 342.06 (1) (eh) of the statutes is created to read:

13 342.06 (1) (eh) If the applicant does not have a social security number, a
14 statement made or subscribed under oath or affirmation that the applicant does not
15 have a social security number. The form of the statement shall be prescribed by the
16 department of workforce development. A certificate of title that is issued in reliance
17 on a statement submitted under this paragraph is invalid if the statement is false.

18 **SECTION 2734hem.** 342.07 (1) of the statutes is renumbered 342.07 (1) (intro.)
19 and amended to read:

20 342.07 (1) Application for registration of and a new certificate of title for a
21 repaired salvage vehicle must be accompanied by the all of the following:

22 (a) The required fees, a,

23 (b) A properly assigned salvage certificate of title or a properly assigned
24 certificate of title by a dealer under s. 342.16 (1) (a) for the vehicle and any,

25 (c) Any other transfer document required by law, and by the,

1 (d) The certificate of inspection under sub. (4).

2 **SECTION 2734hep.** 342.07 (2) (a) of the statutes is amended to read:

3 342.07 (2) (a) To determine whether the vehicle is the same vehicle for which
4 the salvage title ~~is~~ submitted under sub. (1) was issued;

5 **SECTION 2734hf.** 342.10 (1) (d) of the statutes is amended to read:

6 342.10 (1) (d) A description of the vehicle, including make, model and
7 identification number, except that if the vehicle was last registered in another
8 jurisdiction the make and model contained in the certificate shall be the make and
9 model contained in the last certificate of title issued by the other jurisdiction.

10 **SECTION 2734hg.** 342.14 (1r) of the statutes is amended to read:

11 342.14 (1r) Upon filing an application under sub. (1) or (3) before the first day
12 of the 2nd month beginning after the effective date of this subsection [revisor
13 inserts date], an environmental impact fee of \$5, by the person filing the application.
14 Upon filing an application under sub. (1) or (3) on or after the first day of the 2nd
15 month beginning after the effective date of this subsection [revisor inserts date].
16 an environmental impact fee of \$6, by the person filing the application. All moneys
17 collected under this subsection shall be credited to the environmental fund for
18 environmental management. ~~This subsection does not apply after June 30, 2001.~~

19 **SECTION 2734hgd.** 342.15 (2) of the statutes is amended to read:

20 342.15 (2) Except as provided in s. 342.16 ~~with respect to a vehicle which is not~~
21 ~~a salvage vehicle~~, the transferee shall, promptly after delivery to him or her of the
22 vehicle, execute the application for a new certificate of title in the space provided
23 ~~therefor~~ on the certificate or as the department prescribes, and cause deliver or mail
24 the certificate and application ~~to be mailed or delivered~~ to the department. A salvage
25 vehicle purchaser shall comply with s. 342.065 (1) (b) (a).

1 **SECTION 2734hgf.** 342.15 (3) of the statutes is amended to read:

2 342.15 **(3)** Except as provided in s. 342.16 ~~with respect to a vehicle which is not~~
3 ~~a salvage vehicle~~ and as between the parties, a transfer by an owner is not effective
4 until the provisions of this section have been complied with. An owner who has
5 delivered possession of the vehicle to the transferee and has complied with the
6 provisions of this section ~~requiring action by him or her~~ is not liable as owner for any
7 damages thereafter resulting from operation of the vehicle.

8 **SECTION 2734hgh.** 342.15 (6) of the statutes is amended to read:

9 342.15 **(6)** (a) Except as provided in s. 342.16 ~~with respect to a vehicle which~~
10 ~~is not a salvage vehicle~~, any transferee of a vehicle who fails to make application for
11 a new certificate of title immediately upon transfer to him or her of a vehicle may be
12 required to forfeit not more than \$200. A certificate is considered to have been
13 applied for when the application accompanied by the required fee has been delivered
14 to the department or deposited in the mail properly addressed with postage prepaid.

15 (b) Except as provided in s. 342.16 ~~with respect to a vehicle which is not a~~
16 ~~salvage vehicle~~, any transferee of a vehicle who with intent to defraud fails to make
17 application for a new certificate of title immediately upon transfer to him or her of
18 a vehicle may be fined not more than \$1,000 or imprisoned for not more than 30 days
19 or both. A certificate is considered to have been applied for when the application
20 accompanied by the required fee has been delivered to the department or deposited
21 in the mail properly addressed with postage prepaid.

22 **SECTION 2734hgj.** 342.16 (1) (a) of the statutes is amended to read:

23 342.16 **(1)** (a) Except as provided in par. (c), if a dealer acquires a new or used
24 vehicle that is not a salvage vehicle and holds it for resale, or acquires a salvage
25 vehicle that is currently titled as a salvage vehicle and holds it for resale or accepts

1 a vehicle for sale on consignment, the dealer may not submit to the department the
2 certificate of title or application for certificate of title naming the dealer as owner of
3 the vehicle. Upon transferring the vehicle to another person, the dealer shall
4 immediately give the transferee on a form prescribed by the department a receipt for
5 all title, registration, security interest and sales tax moneys paid to the dealer for
6 transmittal to the department when required. The dealer shall promptly execute the
7 assignment and warranty of title, showing the name and address of the transferee
8 and of any secured party holding a security interest created or reserved at the time
9 of the resale or sale on consignment, in the spaces provided therefor on the certificate
10 or as the department prescribes. Within 7 business days following the sale or
11 transfer, the dealer shall mail or deliver the certificate or application for certificate
12 to the department with the transferee's application for a new certificate. A
13 nonresident who purchases a motor vehicle from a dealer in this state may not,
14 unless otherwise authorized by rule of the department, apply for a certificate of title
15 issued for the vehicle in this state unless the dealer determines that a title is
16 necessary to protect the interests of a secured party. The dealer is responsible for
17 determining whether a title and perfection of security interest is required. The
18 dealer is liable for any damages incurred by the department or any secured party for
19 the dealer's failure to perfect a security interest which the dealer had knowledge of
20 at the time of sale.

21 **SECTION 2734hgm.** 342.16 (1) (c) of the statutes is amended to read:

22 342.16 (1) (c) Except when all available spaces for a dealer's or wholesaler's
23 reassignment on a certificate of title have been completed or as otherwise authorized
24 by rules of the department, a dealer or wholesaler who acquires a new or used vehicle
25 that is not a salvage vehicle and holds it for resale, or acquires a salvage vehicle that

1 is currently titled as a salvage vehicle and holds it for resale or accepts a vehicle for
2 sale on consignment may not apply for a certificate of title naming the dealer or
3 wholesaler as owner of the vehicle. The rules may regulate the frequency of
4 application by a dealer or wholesaler for transfer of registration or credits for
5 registration from a previously registered vehicle to another vehicle that the dealer
6 or wholesaler intends to register in his or her own name.

7 **SECTION 2734hgo.** 342.16 (1) (d) of the statutes is amended to read:

8 342.16 (1) (d) Unless exempted by rule of the department, a dealer or
9 wholesaler who acquires a new or used vehicle that is not a salvage vehicle and holds
10 it for resale or acquires a salvage vehicle currently titled as a salvage vehicle and
11 holds it for resale shall make application for a certificate of title naming the dealer
12 or wholesaler as owner of the vehicle when all of the available spaces for a dealer's
13 or wholesaler's reassignment on the certificate of title for such vehicle have been
14 completed.

15 **SECTION 2734hh.** 342.18 (4) (a) of the statutes is amended to read:

16 342.18 (4) (a) Whenever application therefor accompanied by the required fee
17 is made by a finance company licensed under s. 138.09 or 218.01, a bank organized
18 under the laws of this state, or a national bank located in this state, and the vehicle
19 in question is a used vehicle for which the department had issued a certificate of title
20 to the previous owner or a vehicle previously registered in another jurisdiction or is
21 a ~~mobile home~~ recreational vehicle.

22 **SECTION 2734hp.** 342.18 (4) (b) of the statutes is amended to read:

23 342.18 (4) (b) Whenever application therefor accompanied by the required fee
24 is made by any other person and the vehicle in question is a vehicle for which the
25 department had issued a certificate of title to the previous owner or is a vehicle

1 previously registered in another jurisdiction or is a ~~mobile home~~ recreational vehicle
2 and the department is satisfied that the present owner has not operated or consented
3 to the operation of the vehicle since it was transferred to that owner and that he or
4 she understands that the certificate of title merely is evidence of ownership of the
5 vehicle and does not authorize operation of the vehicle on the highways of this state.

6 **SECTION 2734ht.** 342.22 (3) (a) of the statutes is amended to read:

7 342.22 (3) (a) For a ~~mobile home~~ recreational vehicle, 20 years.

8 **SECTION 2734pd.** 342.30 (2) of the statutes is amended to read:

9 342.30 (2) An identification number assigned by the department to a ~~mobile~~
10 home recreational vehicle, trailer or semitrailer shall be stamped upon the frame in
11 a readily visible location. An identification number assigned to a motor vehicle
12 manufactured prior to January 1, 1969, shall be permanently affixed to the left front
13 pillar. The vehicle identification number for motor vehicles manufactured after
14 January 1, 1969, shall be permanently affixed upon either a part of the vehicle that
15 is not designed to be removed except for repair, or a separate plate which is
16 permanently affixed to such part. The vehicle identification number shall be located
17 inside the passenger compartment and shall be readable, without moving any part
18 of the vehicle, through the vehicle glazing under daylight lighting conditions by an
19 observer having 20/20 vision (Snellen) whose eyepoint is located outside the vehicle
20 adjacent to the left windshield pillar. Identification numbers assigned for cycles
21 shall be stamped on the left side, near the top of the engine casting just below the
22 cylinder barrel. Such stamping or affixing shall be done under the supervision of a
23 dealer, distributor or manufacturer registered under s. 341.51 or under the
24 supervision of a peace officer. The person supervising the stamping or affixing shall
25 make a report thereof to the department.

1 **SECTION 2734pt.** 343.055 (1) (d) of the statutes is amended to read:

2 343.055 **(1)** (d) *Recreational vehicle operators.* The operator of the commercial
3 motor vehicle is a person operating a motor home, or a vehicle towing a 5th-wheel
4 mobile home or single-unit ~~touring mobile home not exceeding 45 feet in length~~
5 recreational vehicle and the vehicle or combination, including both units of a
6 combination towing vehicle and the 5th-wheel mobile home or ~~mobile home~~
7 recreational vehicle, is both operated and controlled by the person and is
8 transporting only members of the person's family, guests or their personal property.
9 This paragraph does not apply to any transportation for hire or the transportation
10 of any property connected to a commercial activity. In this paragraph, "controlled"
11 means leased or owned.

12 **SECTION 2734qd.** 343.06 (1) (cm) of the statutes is created to read:

13 343.06 **(1)** (cm) To operate "Class D" vehicles to any person under 18 years of
14 age, unless the person has accumulated at least 30 hours of behind-the-wheel
15 driving experience, at least 10 hours of which were during hours of darkness. Each
16 hour of behind-the-wheel driving experience while accompanied by a qualified
17 instructor, as defined in s. 343.07 (5), shall be considered to be 2 hours of
18 behind-the-wheel driving experience, except that no more than 5 hours of
19 behind-the-wheel driving experience while accompanied by a qualified instructor
20 may be counted in this manner. This paragraph does not apply to applicants for a
21 restricted license under s. 343.08 or a special restricted operator's license under s.
22 343.135. The department may promulgate rules that waive the requirement of
23 accumulating at least 30 hours of behind-the-wheel experience for qualified
24 applicants who are licensed by another jurisdiction to operate "Class D" vehicles.

1 **SECTION 2734qf.** 343.07 (1) (a) and (b) of the statutes are consolidated,
2 renumbered 343.07 (1) (a) (intro.) and amended to read:

3 343.07 (1) (a) (intro.) ~~If the permittee is at least 16 years of age, the permittee~~
4 ~~shall not~~ Except as provided in this subsection, no permittee may operate a motor
5 vehicle unless accompanied by a qualified instructor, or a licensed person with who
6 has at least 2 years of licensed driving experience, who presently holds a valid
7 regular license, occupying as defined in s. 343.03 (3) (a), who occupies the seat beside
8 the permittee. No other passengers are allowed in the vehicle except as provided in
9 par. (c) or (cm). (b) and who is one of the following:

10 1. ~~A permittee under the age of 16 is restricted to operation of a motor vehicle~~
11 ~~only while accompanied by a qualified instructor, the who is 19 years of age or older.~~
12 If the motor vehicle is equipped with dual controls, up to 3 other persons, in addition
13 to the qualified instructor, may occupy seats in the motor vehicle other than the front
14 seat.

15 2. ~~The permittee's parent or, guardian who meets the other qualifications of~~
16 ~~par. (a) or a licensed or spouse who is 19 years of age or older. In addition to the~~
17 ~~parent, guardian or spouse, the permittee's immediate family members may occupy~~
18 seats in the motor vehicle other than the front seat.

19 3. ~~A person who is 21 years of age or older who meets the other qualifications~~
20 ~~of par. (a) and who has. If the permittee is under 18 years of age, this subdivision~~
21 applies only if the licensed person has been designated in writing to accompany the
22 permittee by the permittee's parent or guardian prior to operation of the vehicle by
23 the permittee. Upon reaching the age of 16, the permittee gains the privilege of any
24 other permittee.

25 **SECTION 2734qh.** 343.07 (1) (bm) of the statutes is created to read:

1 343.07 (1) (bm) Except as provided in par. (a), no permittee may operate a motor
2 vehicle upon a highway in this state whenever any person is in the motor vehicle.

3 **SECTION 2734qp.** 343.07 (1) (c) of the statutes is repealed.

4 **SECTION 2734qt.** 343.07 (3) of the statutes is amended to read:

5 343.07 (3) DURATION; CANCELLATION. An instruction permit ~~shall be to operate~~
6 vehicles other than commercial motor vehicles or school buses is valid for 6 12
7 months except that it may be canceled upon receipt of information, by the secretary,
8 of noncompletion or unsatisfactory completion of a driver education and training
9 course by a permittee under the age of 18. An instruction permit to operate
10 commercial motor vehicles or school buses is valid for 6 months.

11 **SECTION 2734rd.** 343.085 (1) of the statutes is renumbered 343.085 (1) (a) and
12 amended to read:

13 343.085 (1) (a) Except as provided in par. (b) and sub. (2), the department shall
14 issue a probationary license to all applicants for an original license. The
15 probationary license shall remain in effect ~~during the entire period of the first~~
16 issuance of the original license as provided in s. 343.20 (1) (a).

17 **SECTION 2734rh.** 343.085 (1) (b) of the statutes is created to read:

18 343.085 (1) (b) The department may not issue a probationary license to operate
19 “Class D” vehicles under this section to an applicant who is under 18 years of age
20 unless the applicant has held an instruction permit issued under s. 343.07 for not less
21 than 6 months and, during the 6-month period immediately preceding application,
22 has not committed a moving violation, specified by the department by rule, resulting
23 in a conviction. The department may promulgate rules to waive the requirement of
24 holding an instruction permit for not less than 6 months for qualified applicants who
25 are licensed by another jurisdiction to operate “Class D” vehicles.

1 **SECTION 2734rp.** 343.085 (2m) of the statutes is created to read:

2 343.085 **(2m)** (a) Except as provided in this subsection, during the 9-month
3 period after issuance of a probationary license under this section, no licensee under
4 18 years of age may operate a “Class D” vehicle upon a highway in this state:

5 1. If, in addition to the licensee, the vehicle is occupied by any person other than
6 the following:

7 a. Any number of members of the licensee’s immediate family.

8 b. A person who meets the requirements under s. 343.07 (1) (a).

9 c. Not more than one other person not described in subd. 1. a. and b.

10 2. Between the hours of 12 midnight and 5 a.m., unless the licensee’s parent
11 or guardian, or a person who meets the requirements under s. 343.07 (1) (a), occupies
12 the seat beside the licensee, or unless the licensee is traveling between his or her
13 place of residence, school or place of employment.

14 (am) 1. Paragraph (a) does not apply to any licensee to whom all of the following
15 apply:

16 a. The licensee is operating the motor vehicle in the service of an organized
17 program that, without compensation, transports teenagers to their homes.

18 b. The licensee possesses documentation that identifies the program and the
19 licensee and that authorizes the licensee to operate a motor vehicle in service of the
20 program on the date and time of the operation. The documentation is valid only if
21 signed by a person who is at least 25 years of age and associated with the program.

22 c. The licensee is accompanied by another licensee, other than a teenager who
23 is being transported, who is in the motor vehicle in the service of the program
24 described in subd. 1. a. and who possesses the documentation described in subd. 1.

25 b.

1 d. The licensee is accompanied by not more than 3 passengers in the vehicle.

2 The licensee described in subd. 1. c. shall not be counted under this subd. 1. d.

3 2. Paragraph (a) does not apply to any licensee operating the motor vehicle to
4 or from a program described in subd. 1. a., if the licensee possesses documentation
5 described in subd. 1. b. A licensee described in this subdivision may be accompanied
6 by any number of persons also traveling to or from a program described in subd. 1.
7 a.

8 (ar) Paragraph (a) does not apply to any licensee operating a motor vehicle for
9 emergency purposes.

10 (b) 1. The department shall extend the restrictions under par. (a) for an
11 additional 6-month period or until the licensee's 18th birthday, whichever occurs
12 earlier, if any of the following occurs while the licensee is subject to the restrictions
13 under par. (a):

14 a. The licensee commits a moving violation specified by the department by rule,
15 resulting in a conviction of the licensee.

16 b. The licensee violates par. (a).

17 c. A court or the department suspends or revokes the licensee's operating
18 privilege for any reason other than a mental or physical disability.

19 2. If the department extends a restriction period under subd. 1., the
20 department shall immediately provide notice of the extension by 1st class mail to the
21 person's last-known residence address.

22 (c) A period of restriction under this subsection does not run while a person's
23 operating privilege is suspended or revoked.

24 (d) The restrictions under this subsection apply until the period of restriction
25 expires or until the licensee reaches 18 years of age, whichever occurs first.

1 (e) Nothing in this subsection may be construed to create a separate cause of
2 action against the parent or guardian of a probationary licensee under this
3 subsection or against the owner of any vehicle operated by a probationary licensee
4 under this section.

5 **SECTION 2734rs.** 343.085 (3) of the statutes is amended to read:

6 343.085 (3) The secretary may suspend a person's operating privilege under
7 this section when such person has been assigned sufficient demerit points after
8 conviction for traffic violations to require suspension under the rule adopted under
9 sub. (5) and either holds a license issued under this section or by age comes under
10 this section. The secretary may revoke such a person's operating privilege under this
11 section if such person has a previous suspension under this section. This subsection
12 applies only to a person holding a probationary license issued before the effective
13 date of this subsection [revisor inserts date]. This subsection does not apply on
14 or after the first day of the 37th month beginning after the effective date of this
15 subsection [revisor inserts date].

16 **SECTION 2734rv.** 343.085 (5) of the statutes is amended to read:

17 343.085 (5) For the purpose of determining when to suspend or to continue a
18 person on probationary status, the secretary may determine and adopt by rule a
19 method of weighing traffic convictions by their seriousness and may change such
20 weighted scale from time to time as experience or the accident frequency in the state
21 makes necessary or desirable. Such scale may be weighted differently for this
22 licensee than the scale used to determine revocations under s. 343.32. This
23 subsection applies only to a person holding a probationary license issued before the
24 effective date of this subsection [revisor inserts date]. This subsection does not

1 apply on or after the first day of the 37th month beginning after the effective date
2 of this subsection [revisor inserts date].

3 **SECTION 2734tu.** 343.14 (2) (b) of the statutes is amended to read:

4 343.14 (2) (b) The applicant's date of birth, ~~social security number~~, color of eyes,
5 color of hair, sex, height, weight and race;

6 **SECTION 2734tv.** 343.14 (2) (bm) and (br) of the statutes are created to read:

7 343.14 (2) (bm) Except as provided in par. (br), the applicant's social security
8 number.

9 (br) If the applicant does not have a social security number, a statement made
10 or subscribed under oath or affirmation that the applicant does not have a social
11 security number. The form of the statement shall be prescribed by the department
12 of workforce development. A license that is issued or renewed under s. 343.17 in
13 reliance on a statement submitted under this paragraph is invalid if the statement
14 is false.

15 **SECTION 2734tw.** 343.14 (2j) (a) of the statutes is amended to read:

16 343.14 (2j) (a) Subject to any exceptions provided for in a memorandum of
17 understanding entered into under s. 49.857 (2), the department shall deny an
18 application for the issuance or renewal of a license if the applicant has not included
19 his or her social security number in the application, or, if the applicant does not have
20 a social security number, has not included a statement made or subscribed under
21 oath or affirmation that the applicant does not have a social security number in the
22 application.

23 **SECTION 2734tx.** 343.14 (2j) (b) of the statutes is amended to read:

24 343.14 (2j) (b) Except as otherwise required to administer and enforce this
25 chapter, the department of transportation may not disclose a social security number

1 obtained from an applicant for a license under sub. (2) ~~(b)~~ (bm) to any person except
2 to the department of workforce development for the sole purpose of administering s.
3 49.22.

4 **SECTION 2744g.** 343.17 (3) (a) 13. of the statutes is created to read:

5 343.17 **(3)** (a) 13. If the person is under 18 years of age at the time of issuance
6 of the license, a distinctive appearance specified by the department that clearly
7 identifies to the public that the person was under 18 years of age at the time of
8 issuance of the license.

9 **SECTION 2744m.** 343.19 (1) of the statutes is amended to read:

10 343.19 **(1)** If a license issued under this chapter or an identification card issued
11 under s. 343.50 is lost or destroyed or the name or address named in the license or
12 identification card is changed or the condition specified in s. 343.17 (3) (a) 12. or 13.
13 no longer applies, the person to whom the license or identification card was issued
14 may obtain a duplicate thereof or substitute therefor upon furnishing proof
15 satisfactory to the department of name and date of birth and that the license or
16 identification card has been lost or destroyed or that application for a duplicate
17 license or identification card is being made for a change of address or name or
18 because the condition specified in s. 343.17 (3) (a) 12. or 13. no longer applies. If the
19 original license or identification card is found it shall immediately be transmitted to
20 the department. Duplicates of nonphoto licenses shall be issued as nonphoto
21 licenses.

22 **SECTION 2746g.** 343.21 (1) (i) of the statutes is amended to read:

23 343.21 **(1)** (i) Except as provided in par. (im) or (ir), for an instruction permit,
24 \$20.

25 **SECTION 2746m.** 343.21 (1) (ir) of the statutes is created to read:

1 343.21 (1) (ir) For an instruction permit authorizing the operation of “Class D”
2 vehicles, \$25.

3 **SECTION 2747.** 343.21 (2) of the statutes is amended to read:

4 343.21 (2) (a) In addition to the fees set under sub. (1), any applicant whose
5 application for a permit, license, upgrade or endorsement, taken together with the
6 applicant’s currently valid license, if any, requires the department to administer a
7 driving skills test of the applicant’s ability to exercise ordinary and reasonable
8 control in the operation of a motor vehicle shall pay to the department an
9 examination fee of \$20 for an examination in a commercial motor vehicle other than
10 a school bus and \$10 \$15 for an examination in any other vehicle. Payment of the
11 examination fee entitles the applicant to not more than 3 tests of the applicant’s
12 ability to exercise reasonable control in the operation of a motor vehicle. If the
13 applicant does not qualify for issuance of a license, upgraded license or endorsement
14 in 3 such tests, then a 2nd examination fee in the same amount shall be paid, which
15 payment entitles the applicant to not more than 3 additional tests.

16 (b) The operator shall pay to the department an examination fee of \$10 \$15 for
17 conducting the special examination requested under s. 121.555 (2) (cm), except that
18 if the examination is in a commercial motor vehicle other than a school bus the fee
19 is \$20. Payment of the examination fee entitles the person to not more than 3 tests
20 of the person’s ability to safely operate the vehicle proposed to be used under s.
21 121.555 (1) (a). If the applicant does not pass the examination for safe operation of
22 the vehicle in 3 such tests, then a 2nd examination fee in the same amount shall be
23 paid, which payment entitles the person to not more than 3 additional tests.

24 **SECTION 2747m.** 343.305 (6) (e) 2. a. of the statutes is amended to read:

1 343.305 **(6)** (e) 2. a. ~~In~~ Except as provided in subd. 2. am., in the case of an
2 individual, the individual's social security number.

3 **SECTION 2747n.** 343.305 (6) (e) 2. am. of the statutes is created to read:

4 343.305 **(6)** (e) 2. am. In the case of an individual who does not have a social
5 security number, a statement made or subscribed under oath or affirmation that the
6 applicant does not have a social security number. The form of the statement shall
7 be prescribed by the department of workforce development. A permit or approval
8 that is issued or renewed under this section in reliance on a statement submitted
9 under this subd. 2. am. is invalid if the statement is false.

10 **SECTION 2747no.** 343.305 (6) (e) 3. a. of the statutes is amended to read:

11 343.305 **(6)** (e) 3. a. The licensor shall deny an application for the issuance or,
12 if applicable, renewal of a permit or laboratory approval if the information required
13 under subd. 2. a., am. or b. is not included in the application.

14 **SECTION 2749gg.** 343.32 (2) (bc) of the statutes is created to read:

15 343.32 **(2)** (bc) 1. Except as provided in subd. 2., the scale adopted by the
16 secretary shall assess, for each conviction, twice the number of demerit points that
17 are assessed for the same offense committed by the holder of a regular license, if the
18 convicted person has been previously convicted of an offense for which demerit points
19 are assessed and the person is one of the following:

- 20 a. A person who holds a probationary license.
21 b. An unlicensed person who would hold a probationary license if licensed.
22 c. A person who holds an instruction permit under s. 343.07.

23 2. The secretary may not increase under subd. 1. the number of demerit points
24 that are assessed for a violation of ch. 347.

1 **SECTION 2749gm.** 343.32 (2) (c) of the statutes is renumbered 343.32 (2) (c) 1.
2 and amended to read:

3 343.32 (2) (c) 1. ~~In~~ Except as provided in subd. 2., in order for the secretary to
4 suspend or revoke an operating privilege under this subsection, the operator must
5 have accumulated 12 demerit points in any 12-month period.

6 **SECTION 2749gr.** 343.32 (2) (c) 2. of the statutes is created to read:

7 343.32 (2) (c) 2. The secretary shall suspend, for a period of 6 months, the
8 operating privilege of any person who holds a probationary license issued on or after
9 the effective date of this subdivision [revisor inserts date], and who has
10 accumulated 12 demerit points in any 12-month period.

11 **SECTION 2747s.** 343.43 (1) (f) of the statutes is amended to read:

12 343.43 (1) (f) Reproduce by any means whatever a copy of a license, unless the
13 reproduction is done pursuant to rules promulgated by the department and for a
14 valid business or occupational purpose; or

15 **SECTION 2750.** 343.44 (2) (a) of the statutes, as affected by 1997 Wisconsin Act
16 84, is amended to read:

17 343.44 (2) (a) Any person who violates sub. (1) (a) or a local ordinance in
18 conformity therewith shall be required to forfeit not less than \$50 nor more than
19 \$200.

20 **SECTION 2751.** 343.44 (2) (am) of the statutes, as affected by 1997 Wisconsin
21 Act 84, is amended to read:

22 343.44 (2) (am) Any person who violates sub. (1) (b) before May 1, 1999 2002,
23 may be required to forfeit not more than \$600, except that, if the person has been
24 convicted of a previous violation described in sub. (1) (b) within the preceding 5-year
25 period, the penalty under par. (b) shall apply.

1 **SECTION 2751e.** 343.50 (4) of the statutes is amended to read:

2 343.50 (4) APPLICATION. The application for an identification card shall include
3 the any information required under s. 343.14 (2) (a) and, (b), (bm) and (br) and
4 (2m), such further information as the department may reasonably require to enable
5 it to determine whether the applicant is entitled by law to an identification card and,
6 for applicants who are aged 65 years or older, material, as provided by the
7 department, explaining the voluntary program that is specified in s. 71.55 (10) (b).
8 The department shall, as part of the application process, take a photograph of the
9 applicant to comply with sub. (3). No application may be processed without the
10 photograph being taken. Misrepresentations are punishable as provided in s. 343.14
11 (5).

12 **SECTION 2751h.** 343.61 (2) (a) 1. of the statutes is amended to read:

13 343.61 (2) (a) 1. ~~In~~ Except as provided in subd. 1m., in the case of an individual,
14 the individual's social security number.

15 **SECTION 2751i.** 343.61 (2) (a) 1m. of the statutes is created to read:

16 343.61 (2) (a) 1m. In the case of an individual who does not have a social
17 security number, a statement made or subscribed under oath or affirmation that the
18 individual does not have a social security number. The form of the statement shall
19 be prescribed by the department of workforce development. A license that is issued
20 by the department in reliance on a statement submitted under this subdivision is
21 invalid if the statement is false.

22 **SECTION 2751k.** 343.62 (2) (a) of the statutes is amended to read:

23 343.62 (2) (a) Application for an instructor's license shall be made in the form
24 and manner prescribed by the department, shall contain such information as is
25 required by the department and shall be accompanied by the required fee. ~~The~~

1 Except as provided in par. (am), the application shall include the applicant's social
2 security number.

3 **SECTION 2751kc.** 343.62 (2) (am) of the statutes is created to read:

4 343.62 (2) (am) If the applicant does not have a social security number, a
5 statement made or subscribed under oath or affirmation that the applicant does not
6 have a social security number. The form of the statement shall be prescribed by the
7 department of workforce development. A license that is issued by the department
8 in reliance on a statement submitted under this paragraph is invalid if the statement
9 is false.

10 **SECTION 2751p.** 343.64 (2) of the statutes is amended to read:

11 343.64 (2) The secretary shall deny the application of any person for a driver
12 school license if the applicant fails to provide the information required under s.
13 343.61 (2) (a) 1. or 2., or if the applicant does not have a social security number, a
14 statement made or subscribed under oath or affirmation that the applicant does not
15 have a social security number.

16 **SECTION 2751r.** 343.65 (2) of the statutes is amended to read:

17 343.65 (2) The secretary shall deny an application for the issuance or renewal
18 of an instructor's license if the applicant has not included his or her social security
19 number in the application, unless the applicant is an individual who does not have
20 a social security number and submits a statement made or subscribed under oath or
21 affirmation as required under s. 343.62 (2) (a).

22 **SECTION 2751m.** 345.05 (1) (c) of the statutes is amended to read:

23 345.05 (1) (c) "Municipality" means any county, city, village, town, school
24 district (as enumerated in s. 67.01 (5), sewer district, drainage district, commission

1 formed by a contract under s. 66.30 (2) and, without restriction because of failure of
2 enumeration, any other political subdivision of the state.

3 **SECTION 2752.** 345.09 (2) of the statutes is amended to read:

4 345.09 (2) The secretary as attorney upon whom processes and notices may be
5 served under this section shall, upon being served with such process or notice,
6 forthwith mail by registered mail a copy thereof to such nonresident at the
7 out-of-state nonresident address given in the papers so served. It is the duty of the
8 party or the party's attorney to certify in the papers so served that the address given
9 therein is the last-known out-of-state nonresident address of the party to be served.
10 In all cases of service under this section there shall be served 2 authenticated copies
11 for the secretary and such additional number of authenticated copies as there are
12 defendants so served in the action. One of the secretary's copies shall be retained for
13 the secretary's record of service and the other copy shall be returned with proper
14 certificate of service attached for filing in court as proof of service of the copies by
15 having mailed them by registered mail to the defendants named therein. The service
16 fee shall be \$15 \$25 for each defendant so served. The secretary shall keep a record
17 of all such processes and notices, which record shall show the day and hour of service.

18 **SECTION 2753.** 345.26 (1) (b) 1. of the statutes is amended to read:

19 345.26 (1) (b) 1. If the person makes a deposit for a violation of a traffic
20 regulation, the person need not appear in court at the time fixed in the citation, and
21 the person will be deemed to have tendered a plea of no contest and submitted to a
22 forfeiture and a penalty assessment, if required by s. ~~165.87~~ 757.05, a jail
23 assessment, if required by s. 302.46 (1), a railroad crossing improvement
24 assessment, if required by s. 346.177, 346.495 or 346.65 (4r), and a crime laboratories
25 and drug law enforcement assessment, if required by s. 165.755, plus any applicable

1 fees prescribed in ch. 814, not to exceed the amount of the deposit that the court may
2 accept as provided in s. 345.37; and

3 **SECTION 2754.** 345.37 (2) of the statutes is amended to read:

4 345.37 (2) If the defendant has made a deposit under s. 345.26, the citation may
5 serve as the initial pleading and the defendant shall be deemed to have tendered a
6 plea of no contest and submitted to a forfeiture and a penalty assessment, if required
7 by s. ~~165.87~~ 757.05, a jail assessment, if required by s. 302.46 (1), a railroad crossing
8 improvement assessment, if required by s. 346.177, 346.495 or 346.65 (4r), and a
9 crime laboratories and drug law enforcement assessment, if required by s. 165.755,
10 plus costs, including any applicable fees prescribed in ch. 814, not exceeding the
11 amount of the deposit. The court may either accept the plea of no contest and enter
12 judgment accordingly, or reject the plea and issue a summons under ch. 968. If the
13 defendant fails to appear in response to the summons, the court shall issue a warrant
14 under ch. 968. If the court accepts the plea of no contest, the defendant may move
15 within 6 months after the date set for the appearance to withdraw the plea of no
16 contest, open the judgment and enter a plea of not guilty upon a showing to the
17 satisfaction of the court that the failure to appear was due to mistake, inadvertence,
18 surprise or excusable neglect. If on reopening the defendant is found not guilty, the
19 court shall immediately notify the department to delete the record of conviction
20 based on the original proceeding and shall order the defendant's deposit returned.

21 **SECTION 2755.** 345.37 (5) of the statutes is amended to read:

22 345.37 (5) Within 5 working days after forfeiture of deposit or entry of default
23 judgment, the official receiving the forfeiture, the penalty assessment, if required by
24 s. ~~165.87~~ 757.05, the jail assessment, if required by s. 302.46 (1), the railroad crossing
25 improvement assessment, if required by s. 346.177, 346.495 or 346.65 (4r), and the

1 crime laboratories and drug law enforcement assessment, if required by s. 165.755,
2 shall forward to the department a certification of the entry of default judgment or a
3 judgment of forfeiture.

4 **SECTION 2756.** 345.375 (2) of the statutes is amended to read:

5 345.375 (2) Upon default of the defendant corporation or limited liability
6 company or upon conviction, judgment for the amount of the forfeiture, the penalty
7 assessment, if required under s. ~~165.87~~ 757.05, the jail assessment, if required by s.
8 302.46 (1), and the crime laboratories and drug law enforcement assessment, if
9 required under s. 165.755, shall be entered.

10 **SECTION 2757.** 345.47 (1) (intro.) of the statutes is amended to read:

11 345.47 (1) (intro.) If the defendant is found guilty, the court may enter
12 judgment against the defendant for a monetary amount not to exceed the maximum
13 forfeiture, penalty assessment, if required by s. ~~165.87~~ 757.05, the jail assessment,
14 if required by s. 302.46 (1), the railroad crossing improvement assessment, if
15 required by s. 346.177, 346.495 or 346.65 (4r), and the crime laboratories and drug
16 law enforcement assessment, if required by s. 165.755, provided for the violation and
17 for costs under s. 345.53 and, in addition, may suspend or revoke his or her operating
18 privilege under s. 343.30. If the judgment is not paid, the court shall order:

19 **SECTION 2758.** 345.47 (1) (b) of the statutes is amended to read:

20 345.47 (1) (b) In lieu of imprisonment and in addition to any other suspension
21 or revocation, that the defendant's operating privilege be suspended. The operating
22 privilege shall be suspended for 30 days or until the person pays the forfeiture, the
23 penalty assessment, if required by s. ~~165.87~~ 757.05, the jail assessment, if required
24 by s. 302.46 (1), the railroad crossing improvement assessment, if required by s.
25 346.177, 346.495 or 346.65 (4r), and the crime laboratories and drug law enforcement

1 assessment, if required by s. 165.755, but not to exceed 5 years. Suspension under
2 this paragraph shall not affect the power of the court to suspend or revoke under s.
3 343.30 or the power of the secretary to suspend or revoke the operating privilege.
4 This paragraph does not apply if the judgment was entered solely for violation of an
5 ordinance unrelated to the violator's operation of a motor vehicle.

6 **SECTION 2759.** 345.47 (1) (c) of the statutes is amended to read:

7 345.47 (1) (c) If a court or judge suspends an operating privilege under this
8 section, the court or judge shall immediately take possession of the suspended license
9 and shall forward it to the department together with the notice of suspension, which
10 shall clearly state that the suspension was for failure to pay a forfeiture, a penalty
11 assessment, if required by s. ~~165.87~~ 757.05, a jail assessment, if required by s. 302.46
12 (1), a railroad crossing improvement assessment, if required by s. 346.177, 346.495
13 or 346.65 (4r), and a crime laboratories and drug law enforcement assessment, if
14 required by s. 165.755, imposed by the court. The notice of suspension and the
15 suspended license, if it is available, shall be forwarded to the department within 48
16 hours after the order of suspension. If the forfeiture, penalty assessment, jail
17 assessment, railroad crossing improvement assessment and crime laboratories and
18 drug law enforcement assessment are paid during a period of suspension, the court
19 or judge shall immediately notify the department. Upon receipt of the notice and
20 payment of the reinstatement fee under s. 343.21 (1) (j), the department shall return
21 the surrendered license.

22 **SECTION 2760.** 345.49 (1) of the statutes is amended to read:

23 345.49 (1) Any person imprisoned under s. 345.47 for nonpayment of a
24 forfeiture, a penalty assessment, if required by s. ~~165.87~~ 757.05, a jail assessment,
25 if required by s. 302.46 (1), a railroad crossing improvement assessment, if required

1 by s. 346.177, 346.495 or 346.65 (4r), or a crime laboratories and drug law
2 enforcement assessment, if required by s. 165.755, may, on request, be allowed to
3 work under s. 303.08. If the person does work, earnings shall be applied on the
4 unpaid forfeiture, penalty assessment, jail assessment, railroad crossing
5 improvement assessment or crime laboratories and drug law enforcement
6 assessment after payment of personal board and expenses and support of personal
7 dependents to the extent directed by the court.

8 **SECTION 2761.** 345.61 (2) (c) of the statutes is amended to read:

9 345.61 (2) (c) “Guaranteed arrest bond certificate” as used in this section means
10 any printed card or other certificate issued by an automobile club, association or
11 insurance company to any of its members or insureds, which card or certificate is
12 signed by the member or insureds and contains a printed statement that the
13 automobile club, association or insurance company and a surety company, or an
14 insurance company authorized to transact both automobile liability insurance and
15 surety business, guarantee the appearance of the persons whose signature appears
16 on the card or certificate and that they will in the event of failure of the person to
17 appear in court at the time of trial, pay any fine or forfeiture imposed on the person,
18 including the penalty assessment required by s. ~~165.87~~ 757.05, the jail assessment
19 required by s. 302.46 (1), the railroad crossing improvement assessment required by
20 s. 346.177, 346.495 or 346.65 (4r) and the crime laboratories and drug law
21 enforcement assessment required by s. 165.755, in an amount not exceeding \$200,
22 or \$1,000 as provided in sub. (1) (b).

23 **SECTION 2761r.** 348.15 (3) (bg) of the statutes is amended to read:

24 348.15 (3) (bg) In the case of a vehicle or combination of vehicles transporting
25 exclusively milk from the point of production to the primary market and the return

1 of dairy supplies and dairy products from such primary market to the farm, the gross
2 weight imposed on the highway by the wheels of any one axle may not exceed 21,000
3 pounds or, for 2 axles 8 or less feet apart, 37,000 pounds or, for groups of 3 or more
4 consecutive axles ~~more than 9 feet~~ or more apart, a weight of 2,000 pounds more than
5 is shown in par. (c), but not to exceed 80,000 pounds. This paragraph does not apply
6 to the national system of interstate and defense highways, except for that portion of
7 USH 51 between Wausau and STH 78 and that portion of STH 78 between USH 51
8 and the I 90/94 interchange near Portage upon their federal designation as I 39.

9 **SECTION 2776.** 348.25 (8) (a) 1. of the statutes is amended to read:

10 348.25 **(8)** (a) 1. For a vehicle or combination of vehicles which exceeds length
11 limitations, \$15, except that if the application for a permit for a vehicle described in
12 this subdivision is submitted to the department after December 31, 1999, and before
13 July 1, 2003, the fee is \$17.

14 **SECTION 2777.** 348.25 (8) (a) 2. of the statutes is amended to read:

15 348.25 **(8)** (a) 2. For a vehicle or combination of vehicles which exceeds either
16 width limitations or height limitations, \$20, except that if the application for a
17 permit for a vehicle described in this subdivision is submitted to the department
18 after December 31, 1999, and before July 1, 2003, the fee is \$22.

19 **SECTION 2778.** 348.25 (8) (a) 2m. of the statutes is amended to read:

20 348.25 **(8)** (a) 2m. For a vehicle or combination of vehicles which exceeds both
21 width and height limitations, \$25, except that if the application for a permit for a
22 vehicle described in this subdivision is submitted to the department after
23 December 31, 1999, and before July 1, 2003, the fee is \$28.

24 **SECTION 2779.** 348.25 (8) (a) 3. of the statutes is amended to read:

1 348.25 (8) (a) 3. For a vehicle or combination of vehicles, the weight of which
2 exceeds any of the provisions of s. 348.15 (3), 10% of the fee specified in par. (b) 3. for
3 an annual permit for the comparable gross weight, rounded to the nearest whole
4 dollar.

5 **SECTION 2780.** 348.25 (8) (b) 1. of the statutes is amended to read:

6 348.25 (8) (b) 1. For a vehicle or combination of vehicles which exceeds length
7 limitations, \$60, except that if the application for a permit for a vehicle described in
8 this subdivision is submitted to the department after December 31, 1999, and before
9 July 1, 2003, the fee is \$66.

10 **SECTION 2781.** 348.25 (8) (b) 2. of the statutes is amended to read:

11 348.25 (8) (b) 2. For a vehicle or combination of vehicles which exceeds width
12 limitations or height limitations or both, \$90, except that if the application for a
13 permit for a vehicle described in this subdivision is submitted to the department
14 after December 31, 1999, and before July 1, 2003, the fee is \$99.

15 **SECTION 2782.** 348.25 (8) (b) 3. a. of the statutes is amended to read:

16 348.25 (8) (b) 3. a. If the gross weight is 90,000 pounds or less, \$200, except that
17 if the application for a permit for a vehicle described in this subd. 3. a. is submitted
18 to the department after December 31, 1999, and before July 1, 2003, the fee is \$220.

19 **SECTION 2783.** 348.25 (8) (b) 3. b. of the statutes is amended to read:

20 348.25 (8) (b) 3. b. If the gross weight is more than 90,000 pounds but not more
21 than 100,000 pounds, \$350, except that if the application for a permit for a vehicle
22 described in this subd. 3. b. is submitted to the department after December 31, 1999,
23 and before July 1, 2003, the fee is \$385.

24 **SECTION 2784.** 348.25 (8) (b) 3. c. of the statutes is amended to read:

1 348.25 **(8)** (b) 3. c. If the gross weight is greater than 100,000 pounds, \$350 plus
2 \$100 for each 10,000–pound increment or fraction thereof by which the gross weight
3 exceeds 100,000 pounds, except that if the application for a permit for a vehicle
4 described in this subd. 3. c. is submitted to the department after December 31, 1999,
5 and before July 1, 2003, the fee is \$385 plus \$110 for each 10,000–pound increment
6 or fraction thereof by which the gross weight exceeds 100,000 pounds.

7 **SECTION 2785.** 348.25 (8) (bm) of the statutes is renumbered 348.25 (8) (bm)
8 1. and amended to read:

9 348.25 **(8)** (bm) 1. Unless a different fee is specifically provided, the fee for a
10 consecutive month permit is one–twelfth of the fee under par. (b) for an annual
11 permit times the number of months for which the permit is desired, plus \$15 for each
12 permit issued. This subdivision does not apply to applications for permits submitted
13 after December 31, 1999, and before July 1, 2003.

14 **SECTION 2786.** 348.25 (8) (bm) 2. of the statutes is created to read:

15 348.25 **(8)** (bm) 2. Unless a different fee is specifically provided, the fee for a
16 consecutive month permit is one–twelfth of the fee under par. (b) for an annual
17 permit times the number of months for which the permit is desired, plus \$16.50 for
18 each permit issued, rounded to the nearest whole dollar. This subdivision does not
19 apply to applications submitted before January 1, 2000, or submitted after
20 June 30, 2003.

21 **SECTION 2786m.** 348.25 (11) of the statutes is created to read:

22 348.25 **(11)** The department shall develop and implement an automated
23 system for designating the route to be traveled by a vehicle for which a permit is
24 issued under s. 348.26 or 348.27.

25 **SECTION 2793.** 350.01 (3r) of the statutes is created to read:

1 350.01 **(3r)** “Expedited service” means a process under which a person is able
2 to renew a snowmobile certificate in person and with only one appearance at the site
3 where certificates are issued.

4 **SECTION 2795.** 350.02 (3m) of the statutes is created to read:

5 350.02 **(3m)** A law enforcement officer may operate a snowmobile on a highway
6 in performance of his or her official duties if the snowmobile is equipped with a
7 flashing, oscillating or rotating blue light.

8 **SECTION 2796.** 350.05 (1) (title) of the statutes is amended to read:

9 350.05 **(1)** (title) ~~AGE RESTRICTION~~ PERSONS UNDER 12.

10 **SECTION 2797.** 350.05 (2) of the statutes is amended to read:

11 350.05 **(2)** ~~SNOWMOBILE~~ PERSONS AGED 12 TO 16; SNOWMOBILE SAFETY PERMIT OR
12 ~~OPERATOR'S LICENSE REQUIRED~~ CERTIFICATES AND PROGRAM. No person ~~over the age of~~
13 who is at least 12 years of age but under the age of 16 years of age may operate a
14 snowmobile unless he or she holds a valid snowmobile safety certificate or is
15 accompanied by a person ~~over~~ who is at least 18 years of age or by a person ~~over~~ who
16 is at least 14 years of age having a and who holds a valid snowmobile safety certificate
17 ~~issued by the department.~~ Any person who is ~~over the age of 12 and~~ at least 12 years
18 of age but under the age of 16 years of age and who holds is required to hold a
19 snowmobile safety certificate ~~shall carry it while operating a snowmobile or while~~
20 accompanying the operator on a snowmobile shall carry the certificate and shall
21 display it to a law enforcement officer on request. Persons enrolled in a safety
22 certification program approved by the department may operate a snowmobile in an
23 area designated by the instructor.

24 **SECTION 2798.** 350.05 (2) of the statutes, as affected by 1999 Wisconsin Act

25 (this act), is repealed and recreated to read:

1 **350.05 (2)** PERSONS AGED 12 AND OLDER; SNOWMOBILE SAFETY CERTIFICATES AND
2 PROGRAM. (a) No person who is at least 12 years of age and who is born on or after
3 January 1, 1985, may operate a snowmobile unless he or she holds a valid
4 snowmobile safety certificate.

5 (b) Any person who is required to hold a snowmobile safety certificate while
6 operating a snowmobile shall carry the certificate on the snowmobile and shall
7 display the certificate to a law enforcement officer on request. Persons enrolled in
8 a safety certification program approved by the department may operate a
9 snowmobile in an area designated by the instructor.

10 **SECTION 2799.** 350.05 (3) of the statutes is amended to read:

11 **350.05 (3) EXCEPTIONS.** This section does not apply to the operation of
12 snowmobiles ~~by an operator under the age of 16 years~~ upon lands owned or leased
13 by the operator's parent or guardian. As used in this section, "leased lands" does not
14 include lands leased by an organization of which said operator or the operator's
15 parent or guardian is a member.

16 **SECTION 2800.** 350.05 (4) of the statutes is amended to read:

17 **350.05 (4) DEFINITION.** For purposes of this section, "accompanied"
18 "accompany" means ~~being to be~~ on the same snowmobile as the operator.

19 **SECTION 2801.** 350.055 of the statutes is amended to read:

20 **350.055 Safety certification program established.** The department shall
21 establish a program of instruction on snowmobile laws, including the intoxicated
22 snowmobiling law, regulations, safety and related subjects. The program shall be
23 conducted by instructors certified by the department. The department may procure
24 liability insurance coverage for certified instructors for work within the scope of their
25 duties under this section. ~~Persons~~ Each person satisfactorily completing this

1 program shall receive ~~certification~~ a snowmobile safety certificate from the
2 department. The department may charge each person who enrolls in the course an
3 instruction fee of \$5. The department shall authorize instructors conducting such
4 courses meeting standards established by it to retain \$1 of the fee to defray expenses
5 incurred locally to conduct the program. The remaining \$4 of the fee shall be retained
6 by the department to defray a part of its expenses incurred to conduct the safety and
7 accident reporting program. A person ~~over the age of 12 years~~ who is at least 12 years
8 of age but under the age of 16 years of age who ~~holds~~ is required to hold a valid
9 snowmobile safety certificate may operate a snowmobile in this state if the person
10 holds a valid snowmobile safety certificate issued by another state or province of the
11 Dominion of Canada ~~need not obtain a certificate from the department~~ and if the
12 course content of the program in such other state or province substantially meets
13 that established by the department under this section.

14 **SECTION 2802.** 350.055 of the statutes, as affected by 1999 Wisconsin Act
15 (this act), section 2801, is amended to read:

16 **350.055 Safety certification program established.** The department shall
17 establish a program of instruction on snowmobile laws, including the intoxicated
18 snowmobiling law, regulations, safety and related subjects. The program shall be
19 conducted by instructors certified by the department. The department may procure
20 liability insurance coverage for certified instructors for work within the scope of their
21 duties under this section. Each person satisfactorily completing this program shall
22 receive a snowmobile safety certificate from the department. The department ~~may~~
23 ~~charge each person who enrolls in the course~~ shall establish by rule an instruction
24 fee of \$5 for this program. An instructor conducting a program of instruction under
25 this section shall collect the instruction fee from each person who receives

1 instruction. The department shall ~~authorize instructors conducting such courses~~
2 ~~meeting standards established by it to retain \$1~~ may determine the portion of the
3 this fee, which may not exceed 50%, that the instructor may retain to defray expenses
4 ~~incurred locally to conduct~~ by the instructor in conducting the program. The
5 remaining \$4 of the fee shall be retained by the department to defray a part of its
6 ~~expenses incurred to conduct the safety and accident reporting program~~ instructor
7 shall remit the remainder of the fee or, if nothing is retained, the entire fee to the
8 department. A person who is at least 12 years of age but under the 16 years of age
9 who is required to hold a valid snowmobile safety certificate may operate a
10 snowmobile in this state if the person holds a valid snowmobile safety certificate
11 issued by another state or province of the Dominion of Canada and if the course
12 content of the program in such other state or province substantially meets that
13 established by the department under this section.

14 **SECTION 2803.** 350.055 of the statutes, as affected by 1999 Wisconsin Act ...
15 (this act), section 2802, is repealed and recreated to read:

16 **350.055 Safety certification program established.** The department shall
17 establish a program of instruction on snowmobile laws, including the intoxicated
18 snowmobiling law, regulations, safety and related subjects. The program shall be
19 conducted by instructors certified by the department. The department may procure
20 liability insurance coverage for certified instructors for work within the scope of their
21 duties under this section. Each person satisfactorily completing this program shall
22 receive a snowmobile safety certificate from the department. The department shall
23 establish by rule an instruction fee for this program. An instructor conducting a
24 program of instruction under this section shall collect the instruction fee from each
25 person who receives instruction. The department may determine the portion of this

1 fee, which may not exceed 50%, that the instructor may retain to defray expenses
2 incurred by the instructor in conducting the program. The instructor shall remit the
3 remainder of the fee or, if nothing is retained, the entire fee to the department. A
4 person who is required to hold a valid snowmobile safety certificate may operate a
5 snowmobile in this state if the person holds a valid snowmobile safety certificate
6 issued by another state or province of the Dominion of Canada and if the course
7 content of the program in such other state or province substantially meets that
8 established by the department under this section.

9 **SECTION 2805.** 350.12 (3h) of the statutes is created to read:

10 350.12 **(3h)** REGISTRATION; RENEWALS; AGENTS. (a) *Issuance; appointment of*
11 *agents.* For the issuance of snowmobile certificates, the department may do any of
12 the following:

13 1. Directly issue the certificates.

14 2. Appoint, as an agent of the department, the clerk of one or more counties to
15 issue the certificates.

16 3. Appoint persons who are not employees of the department to issue the
17 certificates as agents of the department.

18 (b) *Duplicates.* For purposes of this subsection, the issuance of a duplicate of
19 a snowmobile certificate shall be considered the same as the issuance of an original
20 certificate.

21 (c) *Agent activities.* 1. The clerk of any county appointed under par. (a) 2. or (e)
22 may accept the appointment.

23 2. The department may promulgate rules regulating the activities of persons
24 appointed under pars. (a) and (e).

1 (d) *Issuing fees.* An agent appointed under par. (a) 2. or 3. shall collect an
2 issuing fee of \$3 for each snowmobile certificate that the agent issues. The agent
3 shall remit to the department \$2 of each issuing fee collected.

4 (e) *Renewals; agents.* For the renewal of snowmobile certificates for public use
5 or the renewal of commercial snowmobile certificates, the department may renew the
6 certificates directly or may appoint agents in the manner specified in par. (a) 2. or
7 3. The department may establish an expedited service to be provided by the
8 department and these agents to renew these types of snowmobile certificates.

9 (f) *Renewals; fees.* In addition to a renewal fee under sub. (3), the department
10 may authorize that a supplemental renewal fee of \$3 be collected for the renewal of
11 snowmobile certificates that are renewed in any of the following manners:

- 12 1. By agents appointed under par. (e).
- 13 2. By the department using the expedited service.

14 (g) *Remittal of fees.* An agent appointed under par. (e) shall remit to the
15 department \$2 of each \$3 fee collected under par. (f). Any fees remitted to or collected
16 by the department under par. (d) or (f) shall be credited to the appropriation account
17 under s. 20.370 (9) (hu).

18 **SECTION 2807.** 350.12 (3j) (b) of the statutes is amended to read:

19 350.12 **(3j)** (b) The fee for a trail use sticker issued for a snowmobile that is
20 exempt from registration under sub. (2) (b) or (bn) is \$12.25. A trail use sticker issued
21 for such a snowmobile may be issued only by the department and persons appointed
22 by the department and ~~is valid for one~~ expires on June 30 of each year.

23 **SECTION 2808.** 350.12 (4) (a) (intro.) of the statutes is amended to read:

1 350.12 (4) (a) *Enforcement, administration and related costs.* (intro.) The
2 moneys appropriated from s. 20.370 (3) (ak) and (aq), (5) (es) and (9) (mu) and (mw)
3 may be used for the following:

4 **SECTION 2809.** 350.12 (4) (a) 3m. of the statutes is amended to read:

5 350.12 (4) (a) 3m. The cost of state law enforcement efforts as appropriated
6 under s. 20.370 (3) (ak) and (aq); and

7 **SECTION 2810.** 350.12 (4) (am) of the statutes is amended to read:

8 350.12 (4) (am) *Enforcement aids to department.* ~~Beginning with fiscal year~~
9 ~~1993–94, of~~ Of the amounts appropriated under s. 20.370 (3) (ak) and (aq), the
10 department shall allocate \$26,000 in each fiscal year to be used exclusively for the
11 purchase of snowmobiles or trailers to carry snowmobiles, or both, to be used in state
12 law enforcement efforts.

13 **SECTION 2811.** 350.12 (4) (b) (intro.) of the statutes is amended to read:

14 350.12 (4) (b) *Trail aids and related costs.* (intro.) The moneys appropriated
15 under s. 20.370 (1) (mq) and (5) (cb), (cr) and (cs) shall be used for development and
16 maintenance, the cooperative snowmobile sign program, major reconstruction or
17 rehabilitation to improve bridges on existing approved trails, trail rehabilitation,
18 signing of snowmobile routes, and state snowmobile trails and areas and distributed
19 as follows:

20 **SECTION 2814.** 350.12 (5) (d) of the statutes is amended to read:

21 350.12 (5) (d) At the end of the registration period the department shall send
22 the owner of each snowmobile a ~~2-part~~ renewal application. The owner shall
23 ~~complete and sign one portion of the renewal application and return that portion the~~
24 application and the proper fee to the department. ~~The owner shall complete and sign~~
25 ~~the other portion of the renewal application. The owner shall destroy this portion~~

1 ~~of the renewal application upon receipt of the registration certificate and decals or~~
2 ~~to an agent appointed under sub. (3h) (e).~~

3 **SECTION 2816.** 351.02 (1) (a) 10. of the statutes, as affected by 1997 Wisconsin
4 Act 84, is amended to read:

5 351.02 (1) (a) 10. Any offense under the law of another jurisdiction prohibiting
6 conduct described in sections 6-207, 6-302, 10-102, 10-103, 10-104,
7 11-901, 11-902, 11-907 or 11-908 of the uniform vehicle code and model traffic
8 ordinance (1987), or prohibiting homicide or manslaughter resulting from the
9 operation of a motor vehicle, use of a motor vehicle in the commission of a felony,
10 reckless or careless driving or driving a motor vehicle with wilful or wanton
11 disregard for the safety of persons or property, driving or operating a motor vehicle
12 while under the influence of alcohol, a controlled substance, a controlled substance
13 analog or any other drug or a combination thereof as prohibited, refusal to submit
14 to chemical testing, ~~operating a motor vehicle while the operating privilege or~~
15 ~~operator's license is revoked or suspended,~~ perjury or the making false statements
16 or affidavits to a governmental agency in connection with the ownership or operation
17 of a motor vehicle, failing to stop and identify oneself as the driver or operator in the
18 event of a motor vehicle accident with a person or an attended motor vehicle or fleeing
19 from or attempting to elude a police, law enforcement or other peace officer, as those
20 or substantially similar terms are used in that jurisdiction's laws.

21 **SECTION 2817.** 351.025 (2) (a) of the statutes, as affected by 1997 Wisconsin Act
22 84, is renumbered 351.025 (2) and amended to read:

23 351.025 (2) The revocation is effective on the date the department mails the
24 notice of revocation, ~~except as provided in par. (b).~~

25 **SECTION 2818.** 351.025 (2) (b) of the statutes is repealed.

1 **SECTION 2819.** 409.302 (1) (i) of the statutes is renumbered 409.302 (3) (e) and
2 amended to read:

3 409.302 **(3)** (e) A security interest created by a master lease entered into by the
4 state under s. 16.76 (4).

5 **SECTION 2820.** 409.302 (3) (intro.) of the statutes is amended to read:

6 409.302 **(3)** (intro.) The filing provisions of this chapter are not necessary or
7 effective to perfect a security interest in property subject to any of the following:

8 **SECTION 2821.** 409.302 (3) (a) to (c) of the statutes are amended to read:

9 409.302 **(3)** (a) A statute or treaty of the United States which provides for a
10 national or international registration or a national or international certificate of title
11 or which specifies a place of filing different from that specified in this chapter for
12 filing of the security interest; ~~or.~~

13 (b) The following vehicle title statutes: ss. 342.19, 342.20, 342.284 and 342.285;
14 but during any period in which collateral is inventory held for sale by a person who
15 is in the business of selling goods of that kind, the filing provisions of ss. 409.401 to
16 409.408 apply to a security interest in that collateral created by that person as
17 debtor; ~~or.~~

18 (bm) The following boat title statutes: ss. 30.57, 30.572 and 30.573; but during
19 any period in which collateral is inventory held for sale by a person who is in the
20 business of selling goods of that kind, the filing provisions of ss. 409.401 to 409.408
21 apply to a security interest in that collateral created by that person as debtor; ~~or.~~

22 (c) A certificate of title statute of another jurisdiction under the law of which
23 indication of a security interest on the certificate is required as a condition of
24 perfection (s. 409.103 (2)); ~~or.~~

25 **SECTION 2821m.** 409.302 (3) (f) of the statutes is created to read:

1 409.302 (3) (f) The mobile home security interest provisions under subch. V of
2 ch. 101.

3 **SECTION 2822.** 409.313 (4) (e) of the statutes is created to read:

4 409.313 (4) (e) The security interest is created by a master lease entered into
5 by the state under s. 16.76 (4), the security interest is perfected under s. 16.76 (4) (e)
6 before the interest of the encumbrancer or owner is of record, the security interest
7 has priority over any conflicting interest of a predecessor in title of the encumbrancer
8 or owner and the debtor has an interest of record in the real estate.

9 **SECTION 2822m.** 411.104 (1) (a) of the statutes is amended to read:

10 411.104 (1) (a) Certificate of title statute of this state, including ss. 30.531,
11 101.9203 and 342.05.

12 **SECTION 2822o.** 422.201 (12m) of the statutes is amended to read:

13 422.201 (12m) This section does not apply to consumer credit sales of or
14 consumer loans secured by a first lien on or equivalent security interest in mobile
15 homes as defined in s. ~~218.10 (2)~~ 101.91 (2e), if the sales or loans are made on or after
16 November 1, 1981.

17 **SECTION 2822p.** 422.209 (1m) (a) 2. of the statutes is amended to read:

18 422.209 (1m) (a) 2. The loan administration fee is for a consumer loan that is
19 secured primarily by an interest in real property or in a mobile home, as defined in
20 s. ~~218.10 (2)~~ 101.91 (2e).

21 **SECTION 2822t.** 422.413 (2g) (intro.) of the statutes is amended to read:

22 422.413 (2g) (intro.) In any consumer credit transaction in which the collateral
23 is a motor vehicle as defined in s. 340.01 (35), a trailer as defined in s. 340.01 (71),
24 a snowmobile as defined in s. 340.01 (58a), a boat as defined in s. 30.50 (2), an aircraft
25 as defined in s. 114.002 (3), or a mobile home as defined in s. ~~218.10 (2)~~ 101.91 (2e),

1 a writing evidencing the transaction may provide for the creditor's recovery of all of
2 the following expenses, if the expenses are reasonable and bona fide:

3 **SECTION 2822w.** 440.03 (11m) (a) (intro.) of the statutes is amended to read:

4 440.03 **(11m)** (a) (intro.) Each application form for a credential issued or
5 renewed under chs. 440 to 480 shall provide a space for the department to require
6 each of the following, other than an individual who does not have a social security
7 number and who submits a statement made or subscribed under oath or affirmation
8 as required under par. (am), to provide his or her social security number:

9 **SECTION 2822x.** 440.03 (11m) (am) of the statutes is created to read:

10 440.03 **(11m)** (am) If an applicant specified in par. (a) 1. or 2. is an individual
11 who does not have a social security number, the applicant shall submit a statement
12 made or subscribed under oath that the applicant does not have a social security
13 number. The form of the statement shall be prescribed by the department of
14 workforce development. A credential or license issued in reliance upon a false
15 statement submitted under this paragraph is invalid.

16 **SECTION 2822x.** 440.03 (11m) (b) of the statutes is amended to read:

17 440.03 **(11m)** (b) The department shall deny an application for an initial
18 credential or deny an application for credential renewal or for reinstatement of an
19 inactive license under s. 452.12 (6) (e) if any information required under par. (a) is
20 not included in the application form or, in the case of an applicant who is an
21 individual and who does not have a social security number, if the statement required
22 under par. (am) is not included with the application form.

23 **SECTION 2823.** 440.03 (15) of the statutes is created to read:

24 440.03 **(15)** The department shall promulgate rules that establish the fees
25 specified in ss. 440.05 (10) and 440.08 (2) (d).

1 **SECTION 2824.** 440.05 (1) (a) of the statutes is amended to read:

2 440.05 (1) (a) Initial credential: ~~\$41~~ \$44. Each applicant for an initial
3 credential shall pay the initial credential fee to the department when the application
4 materials for the initial credential are submitted to the department.

5 **SECTION 2825.** 440.05 (10) of the statutes is created to read:

6 440.05 (10) Expedited service: If an applicant for a credential requests that
7 the department process an application on an expedited basis, the applicant shall pay
8 a service fee that is equal to the department's best estimate of the cost of processing
9 the application on an expedited basis, including the cost of providing counter or other
10 special handling services.

11 **SECTION 2826.** 440.055 (1) of the statutes is repealed.

12 **SECTION 2827.** 440.055 (2) of the statutes is amended to read:

13 440.055 (2) If the department permits the payment of a fee with use of a credit
14 card ~~under sub. (1)~~, the department shall charge a credit card service charge for each
15 transaction. The credit card service charge shall be in addition to the fee that is being
16 paid with the credit card and shall be sufficient to pay the costs to the department
17 for providing this service to persons who request it, including the cost of any services
18 for which the department contracts under sub. (3).

19 **SECTION 2828.** 440.08 (2) (a) 1. of the statutes is amended to read:

20 440.08 (2) (a) 1. Accountant, certified public: January 1 of each
21 even-numbered year; ~~\$47~~ \$52.

22 **SECTION 2829.** 440.08 (2) (a) 2. of the statutes is amended to read:

23 440.08 (2) (a) 2. Accountant, public: January 1 of each even-numbered year;
24 ~~\$41~~ \$44.

25 **SECTION 2830.** 440.08 (2) (a) 3. of the statutes is amended to read:

1 440.08 (2) (a) 3. Accounting corporation or partnership: January 1 of each
2 even-numbered year; ~~\$41~~ \$47.

3 **SECTION 2831.** 440.08 (2) (a) 4. of the statutes is amended to read:

4 440.08 (2) (a) 4. Acupuncturist: July 1 of each odd-numbered year; ~~\$73~~ \$78.

5 **SECTION 2832.** 440.08 (2) (a) 4m. of the statutes is amended to read:

6 440.08 (2) (a) 4m. Advanced practice nurse prescriber: October 1 of each
7 even-numbered year; ~~\$41~~ \$69.

8 **SECTION 2833.** 440.08 (2) (a) 5. of the statutes is amended to read:

9 440.08 (2) (a) 5. Aesthetician: July 1 of each odd-numbered year; ~~\$77~~ \$58.

10 **SECTION 2834.** 440.08 (2) (a) 6. of the statutes is amended to read:

11 440.08 (2) (a) 6. Aesthetics establishment: July 1 of each odd-numbered year;
12 ~~\$41~~ \$47.

13 **SECTION 2835.** 440.08 (2) (a) 7. of the statutes is amended to read:

14 440.08 (2) (a) 7. Aesthetics instructor: July 1 of each odd-numbered year; ~~\$142~~
15 \$47.

16 **SECTION 2836.** 440.08 (2) (a) 9. of the statutes is amended to read:

17 440.08 (2) (a) 9. Aesthetics specialty school: July 1 of each odd-numbered year;
18 ~~\$41~~ \$44.

19 **SECTION 2837.** 440.08 (2) (a) 11. of the statutes is amended to read:

20 440.08 (2) (a) 11. Appraiser, real estate, certified general: January 1 of each
21 even-numbered year; ~~\$95~~ \$108.

22 **SECTION 2838.** 440.08 (2) (a) 11m. of the statutes is amended to read:

23 440.08 (2) (a) 11m. Appraiser, real estate, certified residential: January 1 of
24 each even-numbered year; ~~\$101~~ \$114.

25 **SECTION 2839.** 440.08 (2) (a) 12. of the statutes is amended to read:

1 440.08 (2) (a) 12. Appraiser, real estate, licensed: January 1 of each
2 even-numbered year; ~~\$72~~ \$134.

3 **SECTION 2840.** 440.08 (2) (a) 13. of the statutes is amended to read:

4 440.08 (2) (a) 13. Architect: August 1 of each even-numbered year; ~~\$44~~ \$49.

5 **SECTION 2841.** 440.08 (2) (a) 14. of the statutes is amended to read:

6 440.08 (2) (a) 14. Architectural or engineering firm, partnership or corporation:
7 February 1 of each even-numbered year; ~~\$41~~ \$47.

8 **SECTION 2841mt.** 440.08 (2) (a) 14f. of the statutes is created to read:

9 440.08 (2) (a) 14f. Athletic trainer: July 1 of each even-numbered year; \$44.

10 **SECTION 2842.** 440.08 (2) (a) 14g. of the statutes is amended to read:

11 440.08 (2) (a) 14g. Auction company: January 1 of each odd-numbered year;
12 ~~\$41~~ \$47.

13 **SECTION 2843.** 440.08 (2) (a) 14r. of the statutes is amended to read:

14 440.08 (2) (a) 14r. Auctioneer: January 1 of each odd-numbered year; ~~\$100~~
15 \$135.

16 **SECTION 2844.** 440.08 (2) (a) 15. of the statutes is amended to read:

17 440.08 (2) (a) 15. Audiologist: February 1 of each odd-numbered year; ~~\$44~~
18 \$100.

19 **SECTION 2845.** 440.08 (2) (a) 16. of the statutes is amended to read:

20 440.08 (2) (a) 16. Barbering or cosmetology establishment: July 1 of each
21 odd-numbered year; ~~\$41~~ \$47.

22 **SECTION 2846.** 440.08 (2) (a) 17. of the statutes is amended to read:

23 440.08 (2) (a) 17. Barbering or cosmetology instructor: July 1 of each
24 odd-numbered year; ~~\$139~~ \$91.

25 **SECTION 2847.** 440.08 (2) (a) 18. of the statutes is amended to read:

1 440.08 (2) (a) 18. Barbering or cosmetology manager: July 1 of each
2 odd-numbered year; ~~\$61~~ \$68.

3 **SECTION 2848.** 440.08 (2) (a) 20. of the statutes is amended to read:

4 440.08 (2) (a) 20. Barber or cosmetologist: July 1 of each odd-numbered year;
5 ~~\$52~~ \$55.

6 **SECTION 2849.** 440.08 (2) (a) 24. of the statutes is amended to read:

7 440.08 (2) (a) 24. Chiropractor: January 1 of each odd-numbered year; ~~\$162~~
8 \$139.

9 **SECTION 2850.** 440.08 (2) (a) 25. of the statutes is amended to read:

10 440.08 (2) (a) 25. Dental hygienist: October 1 of each odd-numbered year; ~~\$41~~
11 \$48.

12 **SECTION 2851.** 440.08 (2) (a) 26. of the statutes is amended to read:

13 440.08 (2) (a) 26. Dentist: October 1 of each odd-numbered year; ~~\$98~~ \$105.

14 **SECTION 2852.** 440.08 (2) (a) 27. of the statutes is amended to read:

15 440.08 (2) (a) 27. Designer of engineering systems: February 1 of each
16 even-numbered year; ~~\$47~~ \$52.

17 **SECTION 2853.** 440.08 (2) (a) 27m. of the statutes is amended to read:

18 440.08 (2) (a) 27m. Dietitian: November 1 of each even-numbered year; ~~\$41~~
19 \$47.

20 **SECTION 2854.** 440.08 (2) (a) 28. of the statutes is amended to read:

21 440.08 (2) (a) 28. Drug distributor: June 1 of each even-numbered year; ~~\$41~~
22 \$47.

23 **SECTION 2855.** 440.08 (2) (a) 29. of the statutes is amended to read:

24 440.08 (2) (a) 29. Drug manufacturer: June 1 of each even-numbered year; ~~\$41~~
25 \$47.

1 **SECTION 2856.** 440.08 (2) (a) 30. of the statutes is amended to read:

2 440.08 (2) (a) 30. Electrologist: July 1 of each odd-numbered year; ~~\$77~~ \$65.

3 **SECTION 2857.** 440.08 (2) (a) 31. of the statutes is amended to read:

4 440.08 (2) (a) 31. Electrology establishment: July 1 of each odd-numbered
5 year; ~~\$41~~ \$47.

6 **SECTION 2858.** 440.08 (2) (a) 34. of the statutes is amended to read:

7 440.08 (2) (a) 34. Electrology specialty school: July 1 of each odd-numbered
8 year; ~~\$41~~ \$44.

9 **SECTION 2859.** 440.08 (2) (a) 35. of the statutes is amended to read:

10 440.08 (2) (a) 35. Engineer, professional: August 1 of each even-numbered
11 year; ~~\$43~~ \$49.

12 **SECTION 2860.** 440.08 (2) (a) 35m. of the statutes is amended to read:

13 440.08 (2) (a) 35m. Fund-raising counsel: September 1 of each
14 even-numbered year; ~~\$41~~ \$44.

15 **SECTION 2861.** 440.08 (2) (a) 36. of the statutes is amended to read:

16 440.08 (2) (a) 36. Funeral director: January 1 of each even-numbered year;
17 ~~\$144~~ \$140.

18 **SECTION 2862.** 440.08 (2) (a) 37. of the statutes is amended to read:

19 440.08 (2) (a) 37. Funeral establishment: June 1 of each odd-numbered year;
20 ~~\$41~~ \$47.

21 **SECTION 2863.** 440.08 (2) (a) 38. of the statutes is amended to read:

22 440.08 (2) (a) 38. Hearing instrument specialist: February 1 of each
23 even-numbered odd-numbered year; ~~\$200~~ \$100.

24 **SECTION 2864.** 440.08 (2) (a) 38g. of the statutes is amended to read:

1 440.08 (2) (a) 38g. Home inspector: January 1 of each odd-numbered year; \$41
2 \$44.

3 **SECTION 2865.** 440.08 (2) (a) 38m. of the statutes is amended to read:

4 440.08 (2) (a) 38m. Landscape architect: August 1 of each even-numbered
5 year; ~~\$41~~ \$51.

6 **SECTION 2866.** 440.08 (2) (a) 39. of the statutes is amended to read:

7 440.08 (2) (a) 39. Land surveyor: February 1 of each even-numbered year; ~~\$69~~
8 \$75.

9 **SECTION 2867.** 440.08 (2) (a) 42. of the statutes is amended to read:

10 440.08 (2) (a) 42. Manicuring establishment: July 1 of each odd-numbered
11 year; ~~\$41~~ \$44.

12 **SECTION 2868.** 440.08 (2) (a) 43. of the statutes is amended to read:

13 440.08 (2) (a) 43. Manicuring instructor: July 1 of each odd-numbered year;
14 ~~\$112~~ \$44.

15 **SECTION 2869.** 440.08 (2) (a) 45. of the statutes is amended to read:

16 440.08 (2) (a) 45. Manicuring specialty school: July 1 of each odd-numbered
17 year; ~~\$41~~ \$44.

18 **SECTION 2870.** 440.08 (2) (a) 46. of the statutes is amended to read:

19 440.08 (2) (a) 46. Manicurist: July 1 of each odd-numbered year; ~~\$78~~ \$131.

20 **SECTION 2871.** 440.08 (2) (a) 46m. of the statutes is amended to read:

21 440.08 (2) (a) 46m. Marriage and family therapist: July 1 of each
22 odd-numbered year; ~~\$66~~ \$82.

23 **SECTION 2872.** 440.08 (2) (a) 48. of the statutes is amended to read:

24 440.08 (2) (a) 48. Nurse, licensed practical: May 1 of each odd-numbered year;
25 ~~\$48~~ \$54.

- 1 **SECTION 2873.** 440.08 (2) (a) 49. of the statutes is amended to read:
2 440.08 **(2)** (a) 49. Nurse, registered: March 1 of each even-numbered year; \$46
3 \$52.
- 4 **SECTION 2874.** 440.08 (2) (a) 50. of the statutes is amended to read:
5 440.08 **(2)** (a) 50. Nurse-midwife: March 1 of each even-numbered year; \$41
6 \$47.
- 7 **SECTION 2875.** 440.08 (2) (a) 51. of the statutes is amended to read:
8 440.08 **(2)** (a) 51. Nursing home administrator: July 1 of each even-numbered
9 year; ~~\$102~~ \$111.
- 10 **SECTION 2876.** 440.08 (2) (a) 52. of the statutes is amended to read:
11 440.08 **(2)** (a) 52. Occupational therapist: November 1 of each odd-numbered
12 year; ~~\$42~~ \$49.
- 13 **SECTION 2877.** 440.08 (2) (a) 53. of the statutes is amended to read:
14 440.08 **(2)** (a) 53. Occupational therapy assistant: November 1 of each
15 odd-numbered year; ~~\$42~~ \$48.
- 16 **SECTION 2878.** 440.08 (2) (a) 54. of the statutes is amended to read:
17 440.08 **(2)** (a) 54. Optometrist: January 1 of each even-numbered year; \$58
18 \$61.
- 19 **SECTION 2879.** 440.08 (2) (a) 55. of the statutes is amended to read:
20 440.08 **(2)** (a) 55. Pharmacist: June 1 of each even-numbered year; ~~\$75~~ \$73.
- 21 **SECTION 2880.** 440.08 (2) (a) 56. of the statutes is amended to read:
22 440.08 **(2)** (a) 56. Pharmacy: June 1 of each even-numbered year; \$41 \$47.
- 23 **SECTION 2881.** 440.08 (2) (a) 57. of the statutes is amended to read:
24 440.08 **(2)** (a) 57. Physical therapist: November 1 of each odd-numbered year;
25 \$46 \$51.

1 **SECTION 2882.** 440.08 (2) (a) 58. of the statutes is amended to read:

2 440.08 (2) (a) 58. Physician: November 1 of each odd-numbered year; \$110
3 \$122.

4 **SECTION 2883.** 440.08 (2) (a) 59. of the statutes is amended to read:

5 440.08 (2) (a) 59. Physician assistant: November 1 of each odd-numbered year;
6 \$51 \$59.

7 **SECTION 2884.** 440.08 (2) (a) 60. of the statutes is amended to read:

8 440.08 (2) (a) 60. Podiatrist: November 1 of each odd-numbered year; \$180
9 \$140.

10 **SECTION 2885.** 440.08 (2) (a) 61. of the statutes is amended to read:

11 440.08 (2) (a) 61. Private detective: September 1 of each even-numbered year;
12 \$178 \$89.

13 **SECTION 2886.** 440.08 (2) (a) 62. of the statutes is amended to read:

14 440.08 (2) (a) 62. Private detective agency: September 1 of each
15 even-numbered year; \$41 \$47.

16 **SECTION 2887.** 440.08 (2) (a) 63. of the statutes is amended to read:

17 440.08 (2) (a) 63. Private practice school psychologist: October 1 of each
18 odd-numbered year; \$67 \$69.

19 **SECTION 2888.** 440.08 (2) (a) 63g. of the statutes is amended to read:

20 440.08 (2) (a) 63g. Private security person: September 1 of each
21 even-numbered year; \$41 \$49.

22 **SECTION 2889.** 440.08 (2) (a) 63m. of the statutes is amended to read:

23 440.08 (2) (a) 63m. Professional counselor: July 1 of each odd-numbered year;
24 \$55 \$63.

25 **SECTION 2890.** 440.08 (2) (a) 63t. of the statutes is amended to read:

1 440.08 (2) (a) 63t. Professional fund-raiser: September 1 of each
2 even-numbered year; ~~\$61~~ \$91.

3 **SECTION 2891.** 440.08 (2) (a) 63u. of the statutes is amended to read:

4 440.08 (2) (a) 63u. Professional geologist: August 1 of each even-numbered
5 year; ~~\$42~~ \$48.

6 **SECTION 2892.** 440.08 (2) (a) 63v. of the statutes is amended to read:

7 440.08 (2) (a) 63v. Professional geology, hydrology or soil science firm,
8 partnership or corporation: August 1 of each even-numbered year; ~~\$42~~ \$44.

9 **SECTION 2893.** 440.08 (2) (a) 63w. of the statutes is amended to read:

10 440.08 (2) (a) 63w. Professional hydrologist: August 1 of each even-numbered
11 year; ~~\$42~~ \$44.

12 **SECTION 2894.** 440.08 (2) (a) 63x. of the statutes is amended to read:

13 440.08 (2) (a) 63x. Professional soil scientist: August 1 of each even-numbered
14 year; ~~\$42~~ \$44.

15 **SECTION 2895.** 440.08 (2) (a) 64. of the statutes is amended to read:

16 440.08 (2) (a) 64. Psychologist: October 1 of each odd-numbered year; ~~\$107~~
17 \$105.

18 **SECTION 2896.** 440.08 (2) (a) 65. of the statutes is amended to read:

19 440.08 (2) (a) 65. Real estate broker: January 1 of each odd-numbered year;
20 ~~\$125~~ \$109.

21 **SECTION 2897.** 440.08 (2) (a) 66. of the statutes is amended to read:

22 440.08 (2) (a) 66. Real estate business entity: January 1 of each odd-numbered
23 year; ~~\$71~~ \$57.

24 **SECTION 2898.** 440.08 (2) (a) 67. of the statutes is amended to read:

1 440.08 (2) (a) 67. Real estate salesperson: January 1 of each odd-numbered
2 year; ~~\$73~~ \$79.

3 **SECTION 2899.** 440.08 (2) (a) 67m. of the statutes is amended to read:

4 440.08 (2) (a) 67m. Registered interior designer: August 1 of each
5 even-numbered year; ~~\$41~~ \$47.

6 **SECTION 2900.** 440.08 (2) (a) 67q. of the statutes, as created by 1997 Wisconsin
7 Act 156, is amended to read:

8 440.08 (2) (a) 67q. Registered massage therapist or bodyworker: March 1 of
9 each odd-numbered year; ~~\$41~~ \$44.

10 **SECTION 2901.** 440.08 (2) (a) 67v. of the statutes, as created by 1997 Wisconsin
11 Act 261, is amended to read:

12 440.08 (2) (a) 67v. Registered music, art or dance therapist: October 1 of each
13 odd-numbered year; ~~\$41~~ \$44.

14 **SECTION 2902.** 440.08 (2) (a) 68. of the statutes is amended to read:

15 440.08 (2) (a) 68. Respiratory care practitioner: November 1 of each
16 odd-numbered year; ~~\$42~~ \$50.

17 **SECTION 2903.** 440.08 (2) (a) 68d. of the statutes is amended to read:

18 440.08 (2) (a) 68d. Social worker: July 1 of each odd-numbered year; ~~\$44~~ \$54.

19 **SECTION 2904.** 440.08 (2) (a) 68h. of the statutes is amended to read:

20 440.08 (2) (a) 68h. Social worker, advanced practice: July 1 of each
21 odd-numbered year; ~~\$46~~ \$53.

22 **SECTION 2905.** 440.08 (2) (a) 68p. of the statutes is amended to read:

23 440.08 (2) (a) 68p. Social worker, independent: July 1 of each odd-numbered
24 year; ~~\$49~~ \$55.

25 **SECTION 2906.** 440.08 (2) (a) 68t. of the statutes is amended to read:

1 440.08 (2) (a) 68t. Social worker, independent clinical: July 1 of each
2 odd-numbered year; ~~\$57~~ \$69.

3 **SECTION 2907.** 440.08 (2) (a) 68v. of the statutes is amended to read:

4 440.08 (2) (a) 68v. Speech-language pathologist: February 1 of each
5 odd-numbered year; ~~\$44~~ \$53.

6 **SECTION 2908.** 440.08 (2) (a) 69. of the statutes is amended to read:

7 440.08 (2) (a) 69. Time-share salesperson: January 1 of each odd-numbered
8 year; ~~\$61~~ \$103.

9 **SECTION 2909.** 440.08 (2) (a) 70. of the statutes is amended to read:

10 440.08 (2) (a) 70. Veterinarian: January 1 of each even-numbered year; ~~\$82~~
11 \$95.

12 **SECTION 2910.** 440.08 (2) (a) 71. of the statutes is amended to read:

13 440.08 (2) (a) 71. Veterinary technician: January 1 of each even-numbered
14 year; ~~\$42~~ \$48.

15 **SECTION 2911.** 440.08 (2) (d) of the statutes is created to read:

16 440.08 (2) (d) If an applicant for credential renewal requests that the
17 department process an application on an expedited basis, the applicant shall pay a
18 service fee that is equal to the department's best estimate of the cost of processing
19 the application on an expedited basis, including the cost of providing counter or other
20 special handling services.

21 **SECTION 2912.** 440.23 (1) of the statutes is amended to read:

22 440.23 (1) If the holder of a credential pays a fee required under s. 440.05 (1)
23 or (6), 440.08, 444.03, 444.05, 444.11 or 459.46 (2) (b) by check or debit or credit card
24 and the check is not paid by the bank financial institution upon which the check is
25 drawn or if the demand for payment under the debit or credit card transaction is not

1 paid by the financial institution upon which demand is made, the department may
2 cancel the credential on or after the 60th day after the department receives the notice
3 from the ~~bank~~ financial institution, subject to sub. (2).

4 **SECTION 2913.** 440.23 (2) (intro.) of the statutes is amended to read:

5 440.23 (2) (intro.) At least 20 days before canceling a credential, the
6 department shall mail a notice to the holder of the credential that informs the holder
7 that the check or demand for payment under the debit or credit card transaction was
8 not paid by the ~~bank~~ financial institution and that the holder's credential may be
9 canceled on the date determined under sub. (1) unless the holder does all of the
10 following before that date:

11 **SECTION 2914.** 440.23 (2) (a) of the statutes is amended to read:

12 440.23 (2) (a) Pays the fee for which the unpaid check or demand for payment
13 under the credit or debit card transaction was issued.

14 **SECTION 2915.** 440.41 (5m) of the statutes is renumbered 440.01 (1) (am).

15 **SECTION 2922.** 440.92 (3) (c) 3. of the statutes is amended to read:

16 440.92 (3) (c) 3. The preneed seller files with the department a bond furnished
17 by a surety company authorized to do business in this state or an irrevocable letter
18 of credit from a financial institution, ~~as defined in s. 157.19 (1)~~, and the amount of
19 the bond or letter of credit is sufficient to secure the cost to the cemetery authority
20 of constructing the mausoleum.

21 **SECTION 2922g.** 440.947 of the statutes is created to read:

22 **440.947 Disclosures and representations for certain sales. (1)** In this
23 section:

24 (a) "Cash advance item" means personal property or a service that is obtained
25 by a person from a 3rd party and that is paid for by the person on behalf of, and

1 subject to reimbursement from, a buyer of a casket, outer burial container or
2 cemetery merchandise from the person. “Cash advance item” includes cemetery or
3 crematory services, pallbearers, public transportation, clergy honoraria, flowers,
4 musicians or vocalists, nurses, obituary notices, gratuities and death certificates.

5 (b) “Direct cremation service” means the disposition of human remains by
6 cremation without any formal viewing, visitation or ceremony in which the body of
7 the deceased is present.

8 (c) “Outer burial container” has the meaning given in s. 157.061 (11g).

9 (d) “Person” does not include a person issued a funeral director’s license under
10 ch. 445 or an operator of a funeral establishment, as defined in s. 445.01 (7).

11 **(2)** No person may sell or offer for sale a casket, outer burial container or
12 cemetery merchandise unless the person has provided to the buyer, prior to the sale,
13 a price list in a clearly legible and conspicuous format that includes each of the
14 following:

15 (a) The name, address and telephone number of the person’s place of business.

16 (b) The effective date of the price list.

17 (c) The price and a description of each type of casket, outer burial container and
18 cemetery merchandise that the person usually offers for sale without special
19 ordering. A description required under this paragraph shall enable a buyer to
20 identify and understand the specific casket, outer burial container or cemetery
21 merchandise that is offered for sale.

22 (d) If the person usually offers an outer burial container for sale without special
23 ordering, a statement that is identical to the following: “State law does not require
24 that you buy a container to surround the casket in the grave. However, many

1 cemeteries require that you have such a container so that the grave will not sink in.
2 Either a grave liner or a burial vault will satisfy these requirements.”

3 (e) The price and a description of any direct cremation or burial service offered
4 by the person and, if the person offers direct cremation service, a statement that is
5 identical to the following: “If you want to arrange a direct cremation, you can use an
6 alternative container. Alternative containers encase the body and can be made of
7 materials like fiberboard or composition materials (with or without an outside
8 covering). The containers that we provide are [insert a description of the
9 containers offered for direct cremation].”

10 (f) The price and a description of any service offered by the person for the use
11 any facilities, equipment or staff related to a viewing, funeral ceremony, memorial
12 service or graveside service.

13 (g) The amount and a description of any basic service fee that is charged in
14 addition to any price described under pars. (c), (e) or (f).

15 **(3)** A person who sells a casket, outer burial container or cemetery merchandise
16 shall, immediately after completing the sale, provide the buyer with a form in a
17 clearly legible and conspicuous format that includes each of the following:

18 (a) The price and a description of the casket, outer burial container or cemetery
19 merchandise.

20 (b) The price and a description of any service specified in sub. (2) (e) or (f) that
21 is sold in addition to the casket, outer burial container or cemetery merchandise.

22 (c) The amount and a description of any basic service fee that is charged in
23 addition to any price described under par. (a) or (b).

1 (d) A statement that the buyer may be charged only for the items that he or she
2 has selected or that are required by law and a description and explanation of any
3 items that he or she is required by law to purchase.

4 (e) A description of any charge for a cash advance item, including any
5 commission, discount or rebate that the person receives for a cash advance item from
6 the 3rd party from which the cash advance item is obtained and that the person does
7 not pass on to the buyer.

8 **(4)** No person who sells a casket, outer burial container or cemetery
9 merchandise may do any of the following:

10 (a) Provide inaccurate information regarding the information specified in sub.
11 (2) (c), (e), (f) or (g) to a prospective buyer who contacts the person by telephone.

12 (b) Represent that state or local law requires a prospective buyer to purchase
13 a casket for a direct cremation service.

14 (c) Misrepresent to a prospective buyer any requirement under federal, state
15 or local law or under the rules of any cemetery, mausoleum or crematory relating to
16 the use of a casket, outer burial container or cemetery merchandise.

17 (d) Represent that any casket, outer burial container or cemetery merchandise
18 will delay the natural decomposition of human remains for a long or indefinite period
19 of time.

20 (e) Require a buyer to pay an additional fee or surcharge if the buyer purchases
21 a casket, outer burial container or cemetery merchandise from a 3rd party.

22 (f) Alter a price specified in sub. (2) (c), (e), (f) or (g) based on the type of casket,
23 outer burial container or cemetery merchandise purchased by a buyer.

24 **(5)** A person who sells a casket, outer burial container or cemetery merchandise
25 shall retain a copy of the price list specified in sub. (2) (intro.) for at least one year

1 after the date of its last distribution to a prospective buyer and shall retain a copy
2 of each form that is provided to a buyer under sub. (3) (intro.) for at least one year
3 after completion of a sale. A person required to retain a copy under this subsection
4 shall make the copy available for inspection by the department upon request.

5 **SECTION 2922r.** 440.95 (3) of the statutes is amended to read:

6 440.95 (3) Except as provided in subs. (1) and (2), any person who violates s.
7 440.91 or 440.947 or any rule promulgated under s. 440.91 may be fined not more
8 than \$1,000 or imprisoned for not more than 6 months or both.

9 **SECTION 2923m.** 440.982 (1) (b) of the statutes is amended to read:

10 440.982 (1) (b) Promulgate rules establishing the education, training or
11 competency requirements that an applicant for a license must satisfy in order to be
12 issued a license of registration under this subchapter. The rules shall require an
13 applicant to complete at least 500 classroom hours of study in a course of instruction
14 at a school of massage therapy or bodywork approved under s. ~~39.51~~ 45.54 and the
15 rules may require an applicant to pass an examination, administered or approved
16 by the department, to determine fitness to practice massage therapy or bodywork.

17 **SECTION 2923mm.** 445.125 (1) (a) 2. of the statutes is amended to read:

18 445.125 (1) (a) 2. Notwithstanding s. 701.12 (1), such agreements may be made
19 irrevocable as to the first ~~\$2,000~~ \$2,500 of the funds paid under the agreement by
20 each depositor.

21 **SECTION 2923mn.** 445.125 (1) (a) 2. of the statutes, as affected by 1999
22 Wisconsin Act (this act), is amended to read:

23 445.125 (1) (a) 2. Notwithstanding s. 701.12 (1), such agreements may be made
24 irrevocable as to the first ~~\$2,500~~ \$3,000 of the funds paid under the agreement by
25 each depositor.

1 **(6)** “Licensee” means a person who is licensed as an athletic trainer under this
2 subchapter.

3 **448.951 Use of title.** Except as provided in s. 448.952, no person may
4 designate himself or herself as an athletic trainer or use or assume the title “athletic
5 trainer”, “licensed athletic trainer”, “certified athletic trainer” or “registered athletic
6 trainer” or append to the person’s name any other title, letters or designation which
7 represents or may tend to represent the person as an athletic trainer unless the
8 person is licensed under this subchapter.

9 **448.952 Applicability.** This subchapter does not require a license under this
10 subchapter for any of the following:

11 **(1)** Any person lawfully practicing within the scope of a license, permit,
12 registration or certification granted by this state or the federal government, if the
13 person does not represent himself or herself as an athletic trainer.

14 **(2)** An athletic training student practicing athletic training within the scope
15 of the student’s education or training, if he or she clearly indicates that he or she is
16 an athletic training student.

17 **(3)** An athletic trainer who is in this state temporarily with an individual or
18 group that is participating in a specific athletic event or series of athletic events and
19 who is licensed, certified or registered by another state or country or certified as an
20 athletic trainer by the Board of Certification of the National Athletic Trainers
21 Association.

22 **448.9525 Duties of affiliated credentialing board.** **(1)** The affiliated
23 credentialing board shall do all of the following:

24 **(a)** Maintain a complete list of athletic trainers licensed under this subchapter
25 that includes the address of each person on the list.

1 (b) Provide a copy of the list maintained under par. (a) to any person who
2 requests a copy.

3 (c) Prescribe a form for the recording of a protocol required under s. 448.956 (1).

4 (d) Promulgate rules establishing the minimum amount of liability insurance
5 or surety bonding that a licensee must have to be eligible for renewal of his or her
6 license.

7 **(2)** Subject to s. 448.956 (1), (4) and (5), the affiliated credentialing board and
8 the medical examining board shall jointly promulgate rules relating to the minimum
9 requirements of a protocol required under s. 448.956 (1).

10 **448.953 Licensure of athletic trainers. (1)** The affiliated credentialing
11 board shall grant an athletic trainer license to a person who does all of the following:

12 (a) Submits an application for the license to the department on a form provided
13 by the department.

14 (b) Pays the fee specified in s. 440.05 (1).

15 (c) Subject to ss. 111.321, 111.322 and 111.335, submits evidence satisfactory
16 to the affiliated credentialing board that he or she does not have an arrest or
17 conviction record.

18 (d) Subject to ss. 111.321, 111.322 and 111.335, submits evidence satisfactory
19 to the affiliated credentialing board that he or she does not have a history of alcohol
20 or other drug abuse.

21 (e) Submits evidence satisfactory to the affiliated credentialing board that he
22 or she has received at least a bachelor's degree from an accredited college or
23 university.

24 (f) Submits evidence satisfactory to the affiliated credentialing board that he
25 or she has met the requirements for certification established by the National Athletic

1 Trainers Association Board of Certification and has passed the certification
2 examination administered by the National Athletic Trainers Association Board of
3 Certification.

4 (g) Provides all of the following information:

5 1. A statement as to whether the person has been granted an athletic trainer
6 credential from any licensing jurisdiction in the United States or in any foreign
7 country.

8 2. If the person has been granted an athletic trainer credential from any
9 licensing jurisdiction in the United States or in any foreign country, a description of
10 any disciplinary actions initiated against the person by the licensing jurisdiction
11 that issued the credential.

12 3. A statement as to whether the person has ever applied for an athletic trainer
13 credential from any licensing jurisdiction in the United States or in any foreign
14 country and had the application denied, along with a description of why the
15 credential application was denied.

16 (h) Passes an examination under s. 448.954.

17 (2) The affiliated credentialing board may waive the requirements under sub.
18 (1) (c) to (h) for an applicant for a license under sub. (1) who establishes to the
19 satisfaction of the affiliated credentialing board all of the following:

20 (a) That he or she has been issued a credential as an athletic trainer by another
21 licensing jurisdiction in the United States.

22 (b) That the jurisdiction that issued the credential under par. (a) has
23 requirements for credentialing that are substantially equivalent to the
24 requirements under sub. (1) (c) to (h).

1 **(3)** (a) The affiliated credentialing board shall issue a temporary license to a
2 person who satisfies the requirements under sub. (1) (a) and (c) to (g) and who pays
3 the fee specified in s. 440.05 (6). The temporary license is valid for one year and may
4 not be renewed.

5 (b) If a person who is issued a temporary license under par. (a) submits, before
6 the temporary license expires, evidence satisfactory to the affiliated credentialing
7 board that he or she has passed the examination required under s. 448.954, the
8 affiliated credentialing board shall issue the person a license under sub. (1).

9 **(4)** (a) The affiliated credentialing board shall issue a temporary license to a
10 person who satisfies the requirements under sub. (1) (a), (c) to (e) and (g), pays the
11 fee specified in s. 440.05 (6) and submits evidence satisfactory to the affiliated
12 credentialing board that he or she has engaged in athletic training during each of the
13 12 consecutive months immediately preceding the effective date of this paragraph
14 [revisor inserts date]. The temporary license is valid for 2 years and shall be renewed
15 once if a license holder submits evidence satisfactory to the affiliated credentialing
16 board at the time of renewal that he or she has made significant progress toward
17 satisfying the requirement under sub. (1) (f).

18 (b) If a person who is issued a temporary license under par. (a) satisfies the
19 requirements under sub. (1) (f) and (h) before the temporary license expires, the
20 affiliated credentialing credentialing board shall issue the person a license under
21 sub. (1).

22 **(5)** An application form for a license under this section shall include all of the
23 following:

24 (a) An affirmation by the applicant that the information that he or she is
25 supplying on the application is true and complete.

1 (b) A statement that the applicant authorizes the affiliated credentialing board
2 to have access to any of the following:

3 1. The applicant's records at the college or university at which he or she
4 received the bachelor's degree required under sub. (1) (e).

5 2. The records of any credentialing authority in any licensing jurisdiction in the
6 United States or in any foreign country that has granted the applicant a credential
7 in athletic training.

8 **448.954 Examination. (1)** The affiliated credentialing board shall conduct
9 or arrange for examinations for athletic trainer licensure at least semiannually and
10 at times and places determined by the affiliated credentialing board. Examinations
11 shall consist of written or oral tests, or both, requiring applicants to demonstrate
12 minimum competency in subjects substantially related to athletic training.

13 **(2)** In lieu of an examination under sub. (1), the affiliated credentialing board
14 may accept the results of an examination administered by the National Athletic
15 Trainers Association Board of Certification.

16 **448.9545 Continuing education. (1) (a)** To be eligible for renewal of a license
17 issued under s. 448.953 (1) or (2), a licensee shall, during the 2-year period
18 immediately preceding the renewal date specified under s. 440.08 (2) (a), complete
19 not less than 30 credit hours of continuing education in courses of study approved by
20 the affiliated credentialing board.

21 (b) No more than 10 credit hours of the continuing education required under
22 par. (a) may be on any of the following subject areas or combination of subject areas:

23 1. Management.

24 2. Risk management.

25 3. Personal growth.

1 4. Educational techniques.

2 **(2)** The affiliated credentialing board may approve any of the following courses
3 for continuing education credit:

4 (a) A course that has been approved for continuing education credit by the
5 National Athletic Trainers Association Board of Certification.

6 (b) Any course that satisfies all of the following:

7 1. The course is directly related to the practice of athletic training or sports
8 medicine and lasts at least one hour.

9 2. Each member of the course faculty has expertise in the subject area of the
10 course because he or she has received a degree from an accredited college or
11 university relating to the subject area, has experience or special training in the
12 subject area covered by the course or has previously taught the subject area covered
13 by the course.

14 3. The course has specific written objectives describing the goals of the course
15 for the participants.

16 4. The sponsor of the course keeps attendance records for the course and retains
17 copies of those records for at least 4 years after the date of the course.

18 **448.955 Issuance of license; expiration and renewal. (1)** The renewal
19 dates for licenses granted under this subchapter, other than temporary licenses
20 granted under s. 448.953 (3) or (4), are specified under s. 440.08 (2) (a).

21 **(2)** Renewal applications shall be submitted to the department on a form
22 provided, subject to sub. (3), by the department and shall include the renewal fee
23 specified in s. 440.08 (2) (a) and evidence satisfactory to the affiliated credentialing
24 board that the licensee has all of the following:

1 (a) Completed, during the 2-year period immediately preceding the renewal
2 date specified in s. 440.08 (2) (a), the continuing education requirements specified
3 in s. 448.9545.

4 (b) Current certification in cardiopulmonary resuscitation.

5 (c) Liability insurance or a surety bond in at least the minimum amount
6 required by the rules promulgated under s. 448.9525 (1) (d).

7 **(3)** A renewal application form for renewal of a license issued under this
8 subchapter shall include all of the following:

9 (a) A place for the licensee to describe his or her work history, including the
10 average number of hours worked each week, for the 2-year period immediately
11 preceding the renewal date specified in s. 440.08 (2) (a).

12 (c) A statement, signed by the licensee and the licensee's consulting physician,
13 that a current copy of the protocol required under s. 448.956 (1) is on file at the place
14 of employment of the athletic trainer and of the consulting physician.

15 **448.956 Practice requirements. (1)** (a) A licensee may engage in athletic
16 training only in accordance with an evaluation and treatment protocol that is
17 established by the athletic trainer and approved by the consulting physician in
18 accordance with the rules promulgated under s. 448.9525 (2) and recorded on a
19 protocol form prescribed by the affiliated credentialing board under s. 448.9525 (1)
20 (c).

21 (am) A protocol established under par. (a) shall require an athletic trainer to
22 notify the consulting physician as soon as possible if a person being treated by the
23 athletic trainer sustains new injuries.

24 (b) A licensee shall have a copy of the protocol established under par. (a) at his
25 or her place of employment at all times.

1 (c) A protocol established under par. (a) shall be updated no later than 30 days
2 before the date specified in s. 440.08 (2) (a) 14f.

3 **(2)** In addition to engaging in athletic training under a protocol established
4 under sub. (1), a licensee may do any of the following:

5 (a) Monitor the general behavior and general physical response of a person to
6 treatment and rehabilitation, including monitoring whether the person's behavior
7 or response show abnormal characteristics and monitoring whether the person
8 exhibits abnormal signs or symptoms.

9 (b) Suggest modifications in treatment or rehabilitation of an injured person
10 to the consulting physician or any other health care provider who is providing
11 treatment to the person.

12 (c) Develop and administer an athletic training program for a person. An
13 athletic training program under this paragraph may include providing education
14 and counseling to a person.

15 **(3)** When working on behalf of his or her primary employer, a licensee may, in
16 accordance with a protocol established under sub. (1) (a), do all of the following:

17 (a) Treat and rehabilitate an athletic injury using cold, heat, light, sound,
18 electricity, exercise, chemicals or mechanical devices.

19 (b) Evaluate and treat a person for an athletic injury that has not previously
20 been diagnosed.

21 (c) Treat or rehabilitate an employe of the primary employer with an injury that
22 is identical to an athletic injury and that has resulted from an occupational activity
23 as directed, supervised and inspected by a physician, as defined in s. 448.01 (5), or
24 by a person licensed under s. 446.02, who has the power to direct, decide and oversee
25 the implementation of the treatment or rehabilitation.

1 **(4)** If a licensee or the consulting physician of the licensee determines that a
2 patient's medical condition is beyond the scope of practice of the licensee, the licensee
3 shall, in accordance with the protocol established under sub. (1) (a), refer the patient
4 to a health care practitioner who is licensed under ch. 446 or 447 or subch. II, III or
5 IV of ch. 448 and who can provide appropriate treatment to the patient.

6 **(5)** A licensee shall modify or terminate treatment of a patient that is not
7 beneficial to a patient or that the patient cannot tolerate.

8 **448.957 Disciplinary proceedings and actions.** **(1)** Subject to the rules
9 promulgated under s. 440.03 (1), the affiliated credentialing board may make
10 investigations and conduct hearings to determine whether a violation of this
11 subchapter or any rule promulgated under this subchapter has occurred.

12 **(2)** Subject to the rules promulgated under s. 440.03 (1), the affiliated
13 credentialing board may reprimand a licensee or may deny, limit, suspend or revoke
14 a license granted under this subchapter if it finds that the applicant or licensee has
15 done any of the following:

16 (a) Made a material misstatement in an application for a license or for renewal
17 of a license.

18 (b) Subject to ss. 111.321, 111.322 and 111.335, been convicted of an offense the
19 circumstances of which substantially relate to the practice of athletic training.

20 (c) Advertised in a manner that is false, deceptive or misleading.

21 (d) Advertised, practiced or attempted to practice under another's name.

22 (e) Subject to ss. 111.321, 111.322 and 111.34, practiced athletic training while
23 the applicant's or licensee's ability to practice was impaired by alcohol or other drugs.

24 (f) Engaged in unprofessional or unethical conduct.

1 (g) Engaged in conduct while practicing athletic training that evidences a lack
2 of knowledge or ability to apply professional principles or skills.

3 (h) Failed to cooperate with the affiliated credentialing board in an
4 investigation under this section.

5 (i) Aided another person in violating this subchapter or any rule promulgated
6 under this subchapter.

7 (j) Violated this subchapter or any rule promulgated under this subchapter.

8 **(3)** In addition to or in lieu of the penalties provided under sub. (2), the
9 affiliated credentialing board may assess against an applicant or licensee a forfeiture
10 of not more than \$10,000 for each violation specified under sub. (2).

11 **448.958 Injunctive relief.** If the affiliated credentialing board has reason to
12 believe that any person is violating this subchapter or any rule promulgated under
13 this subchapter, the affiliated credentialing board, the department, the attorney
14 general or the district attorney of the proper county may investigate and may, in
15 addition to any other remedies, bring an action in the name and on behalf of this state
16 to enjoin the person from the violation.

17 **448.959 Penalties.** Any person who violates this subchapter or any rule
18 promulgated under this subchapter may be fined not more than \$10,000 or
19 imprisoned for not more than 9 months or both.

20 **SECTION 2923v.** 450.10 (3) (a) 5q. of the statutes is created to read:

21 450.10 **(3)** (a) 5q. An athletic trainer licensed under subch. VI of ch. 448.

22 **SECTION 2924.** 459.09 of the statutes is amended to read:

23 **459.09 Renewal of license.** Each person issued a license under this
24 subchapter shall, on or before the applicable renewal date specified under s. 440.08
25 (2) (a), pay to the department the applicable renewal fee specified under s. 440.08 (2)

1 (a) and, for a license that expires on or after February 1, 2001, submit with the
2 renewal application proof that he or she completed, within the 2 years immediately
3 preceding the date of his or her application, 20 hours of continuing education
4 programs or courses of study approved or required under rules promulgated under
5 s. 459.095. A licensee shall keep the certificate conspicuously posted in his or her
6 office or place of business at all times. Where more than one office is operated by the
7 licensee, duplicate certificates shall be issued by the department for posting in each
8 location.

9 **SECTION 2925.** 459.22 (2) (e) of the statutes is amended to read:

10 459.22 (2) (e) Require an ~~employee of a speech-language pathologist or~~
11 ~~audiologist~~ individual to be licensed under this subchapter to assist in the practice
12 of speech-language pathology or audiology under the direct supervision of the
13 speech-language pathologist or audiologist.

14 **SECTION 2926.** 459.24 (5) of the statutes is amended to read:

15 459.24 (5) EXPIRATION AND RENEWAL. The renewal dates for licenses granted
16 under this subchapter, other than temporary licenses granted under sub. (6), are
17 specified in s. 440.08 (2) (a). Renewal applications shall be submitted to the
18 department on a form provided by the department and shall include the renewal fee
19 specified in s. 440.08 (2) (a) and, for licenses that expire on or after February 1, 2001,
20 proof that the applicant completed, within the 2 years immediately preceding the
21 date of his or her application, 20 hours of continuing education programs or courses
22 of study approved or required under rules promulgated under sub. (5m).

23 **SECTION 2926b.** 551.32 (1) (bm) 1. (intro.) of the statutes is amended to read:

1 551.32 (1) (bm) 1. (intro.) In addition to information required under par. (b) and
2 except as provided in par. (bs), an application under par. (a) shall contain the
3 following:

4 **SECTION 2926e.** 551.32 (1) (bs) of the statutes is created to read:

5 551.32 (1) (bs) 1. If an applicant for the issuance or renewal of a license under
6 this section is an individual who does not have a social security number, the
7 applicant, as a condition of applying for or applying to renew the license, shall submit
8 a statement made or subscribed under oath or affirmation to the division that the
9 applicant does not have a social security number. The form of the statement shall
10 be prescribed by the department of workforce development.

11 2. Any license issued or renewed in reliance upon a false statement submitted
12 by an applicant under subd. 1. is invalid.

13 **SECTION 2926m.** 551.34 (1m) (a) 1. of the statutes is amended to read:

14 551.34 (1m) (a) 1. The applicant fails to provide the any information required
15 under s. 551.32 (1) (bm) 1.

16 **SECTION 2926p.** 551.34 (1m) (a) 3. of the statutes is amended to read:

17 551.34 (1m) (a) 3. The applicant is an individual ~~who fails to provide his or her~~
18 ~~social security number~~, who fails to comply, after appropriate notice, with a subpoena
19 or warrant issued by the department of workforce development or a county child
20 support agency under s. 59.53 (5) and related to paternity or child support
21 proceedings or who is delinquent in making court-ordered payments of child or
22 family support, maintenance, birth expenses, medical expenses or other expenses
23 related to the support of a child or former spouse, as provided in a memorandum of
24 understanding entered into under s. 49.857. An applicant whose application is
25 denied under this subdivision for delinquent payments is entitled to a notice and

1 hearing under s. 49.857 but is not entitled to any other notice or hearing under this
2 section.

3 **SECTION 2926s.** 551.34 (1m) (b) of the statutes is amended to read:

4 551.34 **(1m)** (b) The Unless s. 551.32 (1) (bs) 1. applies to the licensee, the
5 division shall restrict or suspend a license under this subchapter if the licensee is an
6 individual who fails to provide his or her social security number;. The division shall
7 restrict or suspend a license under this subchapter if the licensee is an individual
8 who fails to comply, after appropriate notice, with a subpoena or warrant issued by
9 the department of workforce development or a county child support agency under s.
10 59.53 (5) and related to paternity or child support proceedings or who is delinquent
11 in making court-ordered payments of child or family support, maintenance, birth
12 expenses, medical expenses or other expenses related to the support of a child or
13 former spouse, as provided in a memorandum of understanding entered into under
14 s. 49.857. A licensee whose license is restricted or suspended under this paragraph
15 is entitled to a notice and hearing under s. 49.857 but is not entitled to any other
16 notice or hearing under this section.

17 **SECTION 2927a.** 552.23 (1) of the statutes is amended to read:

18 552.23 **(1)** If the target company is an insurance company subject to regulation
19 by the commissioner of insurance, a banking corporation subject to regulation by the
20 division of banking, a savings bank or savings and loan association subject to
21 regulation by the division of savings and loan institutions, or a company subject to
22 regulation by the public service commission, the department of transportation or the
23 office of the commissioner of railroads, the division of securities shall promptly
24 furnish a copy of the registration statement filed under this chapter to the regulatory
25 agency having supervision of the target company. Any hearing under this chapter

1 involving any such target company shall be held jointly with the regulatory agency
2 having supervision, and any determination following the hearing shall be made
3 jointly with that regulatory agency.

4 **SECTION 2927m.** 560.031 of the statutes is repealed and recreated to read:

5 **560.031 Recycling market development. (1)** In this section:

6 (d) “Responsible unit” has the meaning given in s. 287.01 (9).

7 **(2)** (a) At the request of the board, the department shall provide the financial
8 assistance awarded by the board under subs. (3) and (4).

9 (b) 1. The department shall provide the financial assistance awarded under
10 sub. (3) from the appropriations under s. 20.143 (1) (L) and (tm).

11 2. The department shall provide the financial assistance awarded under sub.
12 (4) from the appropriation under s. 20.143 (1) (L).

13 **(3)** The board may award a grant, loan or manufacturing rebate under this
14 subsection to a governmental unit or business entity for a project to assist waste
15 generators in the marketing of recovered materials or to develop markets for
16 recovered materials. Before awarding a grant, loan or manufacturing rebate, the
17 board shall consider the extent to which the project does the following:

18 (a) Maximizes the marketability of recovered materials on a statewide basis.

19 (b) Minimizes the amount of recovered materials disposed of in landfills or
20 burned without energy recovery in incinerators.

21 (c) Includes materials that are banned from landfills and that will support
22 community recycling efforts.

23 (d) Maintains present markets or creates new or expanded markets for
24 recovered materials.

1 **(4)** The board shall award a grant of \$50,000 in each fiscal year to a private,
2 nonprofit, industry-supported organization that is described in section 501 (c) (3) of
3 the Internal Revenue Code and that provides waste reduction and recycling
4 assistance through business-to-business peer exchange. An organization that is
5 awarded a grant must be instrumental in assisting and encouraging companies and
6 institutions to reduce their operating costs through improved production and solid
7 waste management practices and must be in existence on the effective date of this
8 subsection [revisor inserts date].

9 **(5)** If the board determines that financial assistance is required to stimulate
10 an activity that it determines is needed to assist responsible units in the marketing
11 of recovered materials or to develop markets for recovered materials, the board shall
12 request the department to issue a request for proposals for that activity, unless the
13 board determines that a request for proposals is not an effective means for
14 distributing the financial assistance for that activity. Upon a request from the board
15 under this subsection, the department shall issue a request for proposals for the
16 activity specified by the board.

17 **(6)** The department shall annually contract for the operation of a statewide
18 materials exchange program with a materials exchange program that received
19 funding from the board in the 1997–99 fiscal biennium. The department shall
20 provide funding for the materials exchange program from the appropriation under
21 s. 20.143 (1) (tm).

22 **(7)** The department shall consult with the board and seek advice from the
23 council on recycling before promulgating any rules under this section.

24 **SECTION 2929f.** 560.045 of the statutes is renumbered 560.045 (1).

25 **SECTION 2929g.** 560.045 (2) of the statutes is created to read:

1 560.045 (2) The department shall expand the blight elimination and
2 brownfield redevelopment program under subch. V of ch. Comm 108, Wis. Adm.
3 Code, to fund redevelopment planning and projects that will result in end uses with
4 taxable value.

5 **SECTION 2931.** 560.06 (title) of the statutes is amended to read:

6 **560.06 (title) Memorandum of understanding on use of allocated**
7 **moneys for providing assistance to a nonprofit organization.**

8 **SECTION 2932.** 560.06 of the statutes is renumbered 560.06 (1) and amended
9 to read:

10 560.06 (1) The department may provide assistance to a nonprofit organization
11 that provides assistance to organizations and individuals in urban areas. No later
12 than December 30, 1997, the department of commerce shall enter into a
13 memorandum of understanding with the department of administration that
14 specifies how the department of commerce may use the moneys allocated under s.
15 20.143 (1) (c) for providing assistance under this section subsection.

16 **SECTION 2933.** 560.06 (2) of the statutes is created to read:

17 560.06 (2) In fiscal year 1999–2000, the department may provide up to
18 \$100,000 from the appropriations under s. 20.143 (1) (c) and (ie) in assistance to a
19 nonprofit organization that provides assistance to organizations and individuals in
20 urban areas. Notwithstanding sub. (1), the department shall use the moneys
21 authorized under this subsection in accordance with the memorandum of
22 understanding under sub. (1).

23 **SECTION 2937.** 560.081 (2) (h) of the statutes is amended to read:

24 560.081 (2) (h) Provide training, technical assistance and information on the
25 revitalization of business areas to municipalities which do not participate in the

1 state main street program. The department may charge reasonable fees for the
2 services and information provided under this paragraph. The department shall
3 deposit all fees collected under this paragraph in the appropriation account under
4 s. 20.143 (1) (g).

5 **SECTION 2937d.** 560.081 (3) of the statutes is created to read:

6 560.081 (3) (a) From the appropriations under s. 20.143 (1) (c) and (ie), the
7 department may award grants to municipalities participating in the state main
8 street program to fund revitalization and other activities related to participation in
9 the program.

10 (b) The department may not award more than \$250,000 annually in grants
11 under this subsection.

12 (c) The department shall promulgate rules for applying for, awarding and
13 administering the grants under this subsection, including rules related to acceptable
14 uses for the grant proceeds and reporting on the use of the grant proceeds.

15 **SECTION 2937f.** 560.083 of the statutes is created to read:

16 **560.083 Grants for public retail markets. (1)** In this section,
17 “municipality” means a city, village, town or county in this state.

18 **(2)** From the appropriation under s. 20.143 (1) (c), the department may make
19 grants to municipalities and nonprofit organizations to fund costs related to
20 conducting public retail markets. The department shall promulgate rules for the
21 administration of this section.

22 **SECTION 2937m.** 560.09 (5) of the statutes is repealed.

23 **SECTION 2937r.** 560.13 (title) of the statutes is amended to read:

24 **560.13 (title) Brownfields and groundwater contamination grant**
25 **program.**

1 **SECTION 2938c.** 560.13 (2) (a) 1. of the statutes is amended to read:

2 560.13 **(2)** (a) 1. The recipient uses the grant proceeds for brownfields
3 redevelopment or associated environmental remediation activities or for a project
4 relating to the remediation of area-wide groundwater contamination.

5 **SECTION 2938f.** 560.13 (2) (a) 2. (intro.) of the statutes is amended to read:

6 560.13 **(2)** (a) 2. (intro.) All of the following are unknown, cannot be located or
7 are financially unable to pay the cost of brownfields redevelopment or associated
8 environmental remediation activities or of a groundwater contamination
9 remediation project:

10 **SECTION 2939n.** 560.13 (3) (c) of the statutes is created to read:

11 560.13 **(3)** (c) In awarding grants under this section, beginning with grants
12 awarded in fiscal year 2000–01, the department shall accord a weight to a project's
13 job creation potential that is approximately 50% of the weight accorded that factor
14 in awarding grants under this section before fiscal year 2000–01.

15 **SECTION 2944c.** 560.13 (4) (a) (intro.) of the statutes is amended to read:

16 560.13 **(4)** (a) (intro.) From the appropriations under s. 20.143 (1) (br) and (qm)
17 in fiscal year 1997–98, ~~and from the appropriation under s. 20.143 (1) (qm) in fiscal~~
18 ~~year 1998–99~~ 1999–2000, the department shall award all of the following ~~in each of~~
19 ~~those fiscal years:~~

20 **SECTION 2945c.** 560.13 (4) (a) 1. of the statutes is amended to read:

21 560.13 **(4)** (a) 1. A total of \$750,000 \$870,000 in grants that do not exceed
22 \$300,000.

23 **SECTION 2945d.** 560.13 (4) (a) 2. of the statutes is amended to read:

24 560.13 **(4)** (a) 2. A total of \$1,750,000 \$2,030,000 in grants that are greater than
25 \$300,000 but that do not exceed \$700,000.

1 **SECTION 2945e.** 560.13 (4) (a) 3. of the statutes is amended to read:

2 560.13 **(4)** (a) 3. A total of ~~\$2,500,000~~ \$2,900,000 in grants that are greater than
3 \$700,000 but that do not exceed \$1,250,000.

4 **SECTION 2945m.** 560.13 (4) (am) of the statutes is created to read:

5 560.13 **(4)** (am) From the appropriations under s. 20.143 (1) (br) and (qm) in
6 fiscal year 2000–01, the department shall award all of the following:

7 1. A total of \$960,000 in grants that do not exceed \$300,000.

8 2. A total of \$2,240,000 in grants that are greater than \$300,000 but that do
9 not exceed \$700,000.

10 3. A total of \$3,200,000 in grants that are greater than \$700,000 but that do
11 not exceed \$1,250,000.

12 4. At least \$1,400,000 in grants for projects evaluated without consideration
13 of the number of jobs that will be created by the projects.

14 **SECTION 2948c.** 560.13 (6m) of the statutes is created to read:

15 560.13 **(6m)** Receipt of a grant under this section shall not render the recipient
16 ineligible for a loan or any other grant awarded by the state, unless under the
17 eligibility criteria of the loan or other grant the recipient is excluded by virtue of
18 having received the grant.

19 **SECTION 2952.** 560.137 of the statutes is created to read:

20 **560.137 Gaming economic development grants and loans. (1)** In this
21 section:

22 (a) “Native American business” means a sole proprietorship, partnership,
23 limited liability company, joint venture or corporation that is at least 51% owned,
24 controlled and actively managed by a member or members of a federally recognized
25 American Indian tribe or band in this state.

1 (b) “Professional services” has the meaning given in s. 560.17 (1) (c).

2 (c) “Qualified business” means an existing business, including a Native
3 American business, that is located in this state.

4 **(2)** Subject to subs. (3), (4) and (5), from the appropriations under s. 20.143 (1)
5 (ig) and (kj), the department may do all of the following:

6 (a) Make a grant that does not exceed \$15,000 to a qualified business for
7 professional services.

8 (b) Make a grant or loan that does not exceed \$100,000 to a qualified business
9 for fixed asset financing.

10 **(3)** The department may not make a grant or loan to a qualified business under
11 this section unless the department determines all of the following:

12 (a) That the qualified business has been negatively impacted by the existence
13 of a casino.

14 (b) That the qualified business has a legitimate need for the grant or loan to
15 improve the profitability of the business.

16 **(4)** As a condition of approval of a grant or loan under this section, the
17 department shall require that the qualified business provide matching funds for at
18 least 25% of the cost of the project. The department may waive the requirement
19 under this subsection if the department determines that the qualified business is
20 subject to extreme financial hardship.

21 **(5)** The department may not award a grant or loan under this section to a
22 qualified business for any purpose that is related to tourism unless the department
23 of tourism concurs in the award.

24 **(6)** (a) The department shall deposit into the appropriation account under s.
25 20.143 (1) (ig) all moneys received in repayment of loans made under this section.

1 (b) The department may forgive all or any part of a loan made under this
2 section.

3 **SECTION 2953.** 560.138 of the statutes is created to read:

4 **560.138 Gaming economic diversification grants and loans. (1)** In this
5 section:

6 (a) “Native American business” means a sole proprietorship, partnership,
7 limited liability company, joint venture or corporation that is at least 51% owned,
8 controlled and actively managed by a member or members of a federally recognized
9 American Indian tribe or band in this state.

10 (b) “Qualified business” means an existing business, including a Native
11 American business, that is located in or expanding into this state.

12 **(2)** (a) Subject to subs. (3) and (4), from the appropriations under s. 20.143 (1)
13 (id) and (km), the department may make a grant or loan to a qualified business for
14 a project for the purpose of diversifying the economy of a community.

15 (b) In determining whether to award a grant or loan under this section, the
16 department shall consider all of the following:

- 17 1. A project’s potential to retain or increase the number of jobs.
- 18 2. A project’s potential to provide for significant capital investment.
- 19 3. A project’s contribution to the economy of the community.

20 **(3)** As a condition of approval of a grant or loan under this section, the
21 department shall require that a qualified business provide matching funds for at
22 least 25% of the cost of a project.

23 **(4)** The department may not award a grant or loan under this section to a
24 qualified business for any purpose that is related to tourism unless the department
25 of tourism concurs in the award.

1 **(5)** The department shall deposit into the appropriation account under s.
2 20.143 (1) (id) all moneys received in repayment of loans made under this section.

3 **SECTION 2953g.** 560.139 of the statutes is created to read:

4 **560.139 Economic development grants. (1)** REMEDIATION AND ECONOMIC
5 REDEVELOPMENT. (a) Subject to par. (b), from the appropriation under s. 20.143 (1)
6 (kj), the department shall make grants annually to the city of Milwaukee to fund a
7 program to be administered by the Milwaukee Economic Development Corporation.
8 Under the program, the Milwaukee Economic Development Corporation shall
9 provide grants to persons for remediation and economic redevelopment projects in
10 the Menomonee valley. A person may not receive a grant unless the person provides
11 matching funds for at least 50% of the cost of the project.

12 (b) The department may not expend more than \$900,000 in grants to the city
13 of Milwaukee under this subsection annually.

14 **(2)** COMMUNITY-BASED VENTURE FUND. (a) From the appropriation under s.
15 20.143 (1) (kj), the department shall make grants to the Northwest Regional
16 Planning Commission to match federal or private funds for the purpose of
17 establishing a community-based venture fund. Subject to par. (b), the department
18 shall provide grants each year in an amount that equals 50% of the total amount that
19 the Northwest Regional Planning Commission receives in the year from federal or
20 private sources for the community-based venture fund.

21 (b) The department may not expend more than \$150,000 in grants under this
22 subsection annually.

23 **SECTION 2953h.** 560.139 (1) (a) of the statutes, as created by 1999 Wisconsin
24 Act (this act), is amended to read:

1 560.139 (1) (a) Subject to par. (b), from the appropriation under s. 20.143 (1)
2 (kj) or (km) or from both appropriations, the department shall make grants annually
3 to the city of Milwaukee to fund a program to be administered by the Milwaukee
4 Economic Development Corporation. Under the program, the Milwaukee Economic
5 Development Corporation shall provide grants to persons for remediation and
6 economic redevelopment projects in the Menomonee valley. A person may not receive
7 a grant unless the person provides matching funds for at least 50% of the cost of the
8 project.

9 **SECTION 2953i.** 560.139 (2) (a) of the statutes, as created by 1999 Wisconsin Act
10 (this act), is amended to read:

11 560.139 (2) (a) From the appropriation under s. 20.143 (1) (kj) or (km) or from
12 both appropriations, the department shall make grants to the Northwest Regional
13 Planning Commission to match federal or private funds for the purpose of
14 establishing a community-based venture fund. Subject to par. (b), the department
15 shall provide grants each year in an amount that equals 50% of the total amount that
16 the Northwest Regional Planning Commission receives in the year from federal or
17 private sources for the community-based venture fund.

18 **SECTION 2954.** 560.14 (4) (a) of the statutes is renumbered 560.14 (4), and
19 560.14 (4) (intro.), (f) and (g), as renumbered, are amended to read:

20 560.14 (4) (intro.) ~~Subject to par. (b), the~~ The department may make a grant
21 under this subsection from the appropriation under s. 20.143 (1) (fg) to a
22 community-based organization for regional economic development activity if all of
23 the following apply:

24 (f) The applicants submit a plan that describes the economic development
25 activity, how the economic development activity satisfies the criteria under this

1 ~~paragraph subsection~~, how the grant will be administered and how the grant
2 proceeds will be used to support the economic development activity; and the
3 secretary approves the plan.

4 (g) The applicants provide documentation of the contributions required under
5 ~~subd. 5 par. (e)~~.

6 **SECTION 2955.** 560.14 (4) (b) of the statutes is repealed.

7 **SECTION 2955m.** 560.17 (5r) of the statutes is created to read:

8 560.17 (5r) (a) Under this subsection, the board may award to a business a loan
9 that does not exceed \$50,000 if all of the following apply:

10 1. The business, together with any affiliate, subsidiary or parent entity, has
11 fewer than 50 employees.

12 2. The business is or will be located in a rural municipality.

13 3. The rural municipality in which the business is or will be located satisfies
14 either of the following criteria:

15 a. The rural municipality is located in a county that has a median household
16 income that is lower than the state median household income.

17 b. If the rural municipality is located in a county that has a median household
18 income that is higher than the state median household income, the rural
19 municipality has a median household income that is lower than the county median
20 household income.

21 4. The business is starting or expanding its operations.

22 5. The operations of the business do not involve metallic mining activities.

23 6. The owner of the business attends a class that provides instruction in writing
24 a business plan, making a business loan application and managing a start-up
25 business.

1 (b) A business applying for a loan under this subsection must submit an
2 application package that includes a business plan and such personal and business
3 financial information as the board requires to enable the board to assess sufficiently
4 the potential viability of the business. The department shall assist a business in
5 preparing an application.

6 (c) A business that receives a loan under this subsection may use the loan
7 proceeds for any of the following purposes:

8 1. The purchase or improvement of land.

9 2. The purchase of buildings, furniture, fixtures, machinery, equipment or
10 inventory.

11 3. Job training costs.

12 4. Employee relocation costs.

13 5. Working capital.

14 (d) If a business that receives a loan under this subsection uses the loan
15 proceeds for employee relocation costs under par. (c) 4., the department shall ensure
16 all of the following:

17 1. That an employee of the business has the option of accepting or declining any
18 relocation assistance that is available as a result of the loan.

19 2. That the compensation and benefits terms offered at the new location are at
20 least as favorable as those offered by the business at its previous location.

21 **SECTION 2955p.** 560.17 (6m) of the statutes is renumbered 560.17 (6m) (a) and
22 amended to read:

23 560.17 (6m) (a) ~~In~~ Except as provided in par. (b), in order to receive a grant or
24 loan under this section a person or business shall contribute cash, from a source other
25 than the state, in an amount that equals at least 25% of the total cost of the project.

1 **SECTION 2955q.** 560.17 (6m) (b) of the statutes is created to read:

2 560.17 **(6m)** (b) The board shall determine whether, and the extent to which,
3 in order to receive a loan under sub. (5r), a business must contribute from a source
4 other than the state a portion of the cost of the project, except that the board may not
5 require a business to contribute more than 20% of the cost of the project. The
6 contribution may be in cash or in kind. The board shall determine what services or
7 materials may be used as in-kind contributions.

8 **SECTION 2955r.** 560.17 (7) (a) of the statutes is amended to read:

9 560.17 **(7)** (a) Except as provided in par. (am), the department shall designate
10 staff to evaluate applications for grants or loans and assist the board under this
11 section. The board shall act on an application for a grant or loan at its next regularly
12 scheduled meeting after the department determines that the application is complete,
13 except that the board shall act on an application for a loan under sub. (5r) and advise
14 the applicant of its decision within 45 days after the department determines that the
15 application is complete.

16 **SECTION 2956.** 560.175 of the statutes is created to read:

17 **560.175 Urban area early planning grants. (1)** In this section:

18 (a) “Early planning project” means the preliminary stages of considering and
19 planning the expansion or start-up of a business that is or will be located in an urban
20 area in this state.

21 (b) “Urban area” means any of the following:

22 1. A city, village or town that is located in a county with a population density
23 of at least 150 persons per square mile.

24 2. A city, village or town with a population of more than 6,000.

1 **(2)** Subject to subs. (3) and (6), the department may make a grant from the
2 appropriation under s. 20.143 (1) (c) to a person to fund an early planning project.

3 **(3)** The department may not award a grant to a person under this section unless
4 the person submits an application, in a form required by the department, that
5 contains or describes all of the following:

6 (a) The location of the new or expanding business.

7 (b) The ownership structure of the new or expanding business.

8 (c) The product or service provided by the new or expanding business.

9 (d) The market for the product or service described in par. (c).

10 (e) Competition within the market described in par. (d).

11 (f) Any competitive advantages of the new or expanding business.

12 (g) The person's estimate of the gross revenue of the new or expanding business
13 over a period specified by the department.

14 (h) The process for manufacturing the product, or providing the services, of the
15 new or expanding business.

16 (i) An estimate of the number of jobs that will be created by the new or
17 expanding business.

18 (j) The person's experience and training.

19 (k) The person's estimate of the profit that will be generated by the new or
20 expanding business over a period specified by the department.

21 (L) The person's estimate of the capital required to complete the early planning
22 project.

23 (m) Potential sources of financing for the early planning project.

24 (n) Any other information that the department requests.

1 **(4)** A person who receives a grant under this section may use the grant proceeds
2 only for any of the following:

3 (a) To perform a business feasibility study.

4 (b) To prepare a detailed marketing plan.

5 (c) To prepare a detailed business plan.

6 **(5)** In order to receive a grant under this section a person shall contribute cash,
7 from a source other than the state, in an amount that equals at least 25% of the total
8 cost of the project.

9 **(6)** (a) In any fiscal biennium, the department may not award to any one person
10 more than \$15,000 in grants under this section.

11 (b) In any fiscal biennium, the department may not award more than \$250,000
12 in grants under this section.

13 **SECTION 2957.** 560.183 (3) (b) of the statutes is amended to read:

14 560.183 **(3)** (b) The agreement shall specify that the responsibility of the
15 department to make the payments under the agreement is subject to the availability
16 of funds in the appropriations under s. 20.143 (1) ~~(f)~~, (jc) ~~and~~, (jm) and (kr).

17 **SECTION 2958.** 560.183 (5) (a) of the statutes is amended to read:

18 560.183 **(5)** (a) The obligation of the department to make payments under an
19 agreement entered into under sub. (3) (b) is subject to the availability of funds in the
20 appropriations under s. 20.143 (1) ~~(f)~~, (jc) ~~and~~, (jm) and (kr).

21 **SECTION 2959.** 560.183 (5) (b) (intro.) of the statutes is amended to read:

22 560.183 **(5)** (b) (intro.) If the cost of repaying the loans of all eligible applicants,
23 when added to the cost of loan repayments scheduled under existing agreements,
24 exceeds the total amount in the appropriations under s. 20.143 (1) ~~(f)~~, (jc) ~~and~~, (jm)

1 and (kr), the department shall establish priorities among the eligible applicants
2 based upon the following considerations:

3 **SECTION 2960.** 560.183 (8) (intro.) of the statutes is amended to read:

4 560.183 **(8)** ADMINISTRATIVE CONTRACT. (intro.) From the appropriation under
5 s. 20.143 (1) ~~(f)~~ (kr), the department shall contract with the board of regents of the
6 University of Wisconsin System for administrative services from the office of rural
7 health of the department of professional and community development of the
8 University of Wisconsin Medical School. Under the contract, the office of rural health
9 shall do all of the following:

10 **SECTION 2961.** 560.184 (3) (b) of the statutes is amended to read:

11 560.184 **(3)** (b) The agreement shall specify that the responsibility of the
12 department to make the payments under the agreement is subject to the availability
13 of funds in the appropriations under s. 20.143 (1) ~~(f)~~, (jc) ~~and~~, (jL) and (kr).

14 **SECTION 2962.** 560.184 (5) (a) of the statutes is amended to read:

15 560.184 **(5)** (a) The obligation of the department to make payments under an
16 agreement entered into under sub. (3) is subject to the availability of funds in the
17 appropriations under s. 20.143 (1) ~~(f)~~, (jc) ~~and~~, (jL) and (kr).

18 **SECTION 2963.** 560.184 (5) (b) (intro.) of the statutes is amended to read:

19 560.184 **(5)** (b) (intro.) If the cost of repaying the loans of all eligible applicants,
20 when added to the cost of loan repayments scheduled under existing agreements,
21 exceeds the total amount in the appropriations under s. 20.143 (1) ~~(f)~~, (jc) ~~and~~, (jL)
22 and (kr), the department shall establish priorities among the eligible applicants
23 based upon the following considerations:

24 **SECTION 2964.** 560.184 (7) (intro.) of the statutes is amended to read:

1 560.184 (7) ADMINISTRATIVE CONTRACT. (intro.) From the appropriation under
2 s. 20.143 (1) (f) (~~kr~~), the department shall contract with the board of regents of the
3 University of Wisconsin System for administrative services from the office of rural
4 health of the department of professional and community development of the
5 University of Wisconsin Medical School. Under the contract, the office of rural health
6 shall do all of the following:

7 **SECTION 2965.** 560.19 (title) of the statutes is amended to read:

8 **560.19 (title) Hazardous ~~pollution~~ Pollution prevention.**

9 **SECTION 2966.** 560.19 (1) of the statutes is amended to read:

10 560.19 (1) In this section, “hazardous pollution prevention” has the meaning
11 given in s. 299.13 (1) (e) (~~dm~~).

12 **SECTION 2967.** 560.19 (2) (a) 1. of the statutes is amended to read:

13 560.19 (2) (a) 1. Determining the full costs of using and producing hazardous
14 substances, toxic pollutants and solid or hazardous waste.

15 **SECTION 2968.** 560.19 (2) (a) 2. of the statutes is amended to read:

16 560.19 (2) (a) 2. Identifying processes that use or produce hazardous
17 substances, toxic pollutants or solid or hazardous waste and the composition of the
18 hazardous substances, toxic pollutants or solid or hazardous waste.

19 **SECTION 2969.** 560.19 (2) (a) 3. of the statutes is amended to read:

20 560.19 (2) (a) 3. Identifying hazardous pollution prevention options.

21 **SECTION 2970.** 560.19 (2) (b) 1. of the statutes is amended to read:

22 560.19 (2) (b) 1. The need for a hazardous pollution prevention assessment and
23 a program participant’s willingness to participate in an assessment.

24 **SECTION 2971.** 560.19 (2) (b) 2. of the statutes is amended to read:

1 560.19 (2) (b) 2. The technical and financial ability of a program participant to
2 implement hazardous pollution prevention.

3 **SECTION 2972.** 560.19 (2) (b) 3. of the statutes is amended to read:

4 560.19 (2) (b) 3. The potential for others to use the information gained from a
5 hazardous pollution prevention assessment.

6 **SECTION 2973.** 560.19 (3) of the statutes is amended to read:

7 560.19 (3) In coordination with the ~~hazardous pollution prevention program~~
8 solid and hazardous waste education center under s. 36.25 (30) and the department
9 of natural resources, the department shall conduct an education, environmental
10 management and technical assistance program to promote hazardous pollution
11 prevention among businesses in the state.

12 **SECTION 2974.** 560.20 (1) (f) of the statutes is amended to read:

13 560.20 (1) (f) “Small business” means a for-profit business having fewer than
14 ~~25~~ 100 full-time employes.

15 **SECTION 2975.** 560.20 (2) (a) of the statutes is amended to read:

16 560.20 (2) (a) The department may provide technical assistance to an
17 individual, small business or nonprofit organization. In addition to or in lieu of the
18 technical assistance provided by the department and subject to par. (e), the
19 department may make a grant to an individual, small business or nonprofit
20 organization from the appropriation under s. 20.143 (1) (en) to partially fund
21 technical assistance provided to the individual, small business or nonprofit
22 organization. Technical assistance or a grant for technical assistance provided under
23 this paragraph shall be for the purpose of developing and planning, at the
24 preliminary stages, the start-up or expansion of a for-profit business that is or will
25 be located in this state.

1 **SECTION 2976.** 560.20 (2) (e) of the statutes is created to read:

2 560.20 **(2)** (e) If the department makes a grant under par. (a), the department
3 may contract directly with and pay grant proceeds directly to any person providing
4 technical assistance to the individual, small business or nonprofit organization for
5 the purpose specified in par. (a).

6 **SECTION 2977.** 560.20 (3) (a) (intro.) of the statutes is amended to read:

7 560.20 **(3)** (a) (intro.) The Subject to par. (cm), the department may award funds
8 appropriated under s. 20.143 (1) (en) and (in) to an individual, small business or
9 nonprofit organization for use in connection with the start-up or expansion of a
10 for-profit business if all of the following apply:

11 **SECTION 2978.** 560.20 (3) (cm) of the statutes is created to read:

12 560.20 **(3)** (cm) If the department awards a grant under this subsection, the
13 department may contract directly with and pay grant proceeds directly to any person
14 providing management assistance to the individual, small business or nonprofit
15 organization.

16 **SECTION 2979.** 560.25 of the statutes is created to read:

17 **560.25 Manufacturing extension center grants. (1) DEFINITIONS.** In this
18 section:

19 (a) “Biotechnology” means technology related to life sciences.

20 (b) “Business” means a company located in this state, a company that has made
21 a firm commitment to locate a facility in this state or a group of companies at least
22 80% of which are located in this state.

23 (c) “Technology” includes biotechnology.

24 (d) “Technology-based nonprofit organization” means a nonprofit corporation,
25 as defined in s. 181.0103 (17), or an organization described in section 501 (c) (3) of

1 the Internal Revenue Code that is exempt from federal income tax under section 501
2 (a) of the Internal Revenue Code, and that has as a mission the transfer of technology
3 to businesses in this state.

4 **(2) GRANTS.** Subject to subs. (4) and (5), the department may make a grant from
5 the appropriation under s. 20.143 (1) (ie) to a technology-based nonprofit
6 organization to provide support for a manufacturing extension center if all of the
7 following apply:

8 (a) The technology-based nonprofit organization submits to the department a
9 plan detailing its proposed expenditures and performance measures related to the
10 project.

11 (b) The secretary approves the plan submitted under par. (a).

12 **(3) RESTRICTION ON GRANT RECIPIENTS.** A technology-based nonprofit
13 organization that receives a grant under this section is thereafter ineligible to
14 receive a grant or loan under subch. V.

15 **(4) LIMIT ON GRANTS.** The department may not award more than \$1,000,000 in
16 grants under this section in a fiscal year.

17 **(5) PROGRAM SUNSET.** The department may not encumber any moneys under
18 this section after June 30, 2001.

19 **SECTION 2980m.** 560.26 of the statutes is created to read:

20 **560.26 Wisconsin Procurement Institute grants.** (1) Subject to sub. (3),
21 the department shall make grants annually from the appropriation under s. 20.143
22 (1) (c) to the Wisconsin Procurement Institute if all of the following apply:

23 (a) The Wisconsin Procurement Institute uses the grant proceeds to further its
24 efforts to secure federal government contracts and create jobs in the state.

1 (b) The Wisconsin Procurement Institute submits a plan to the department for
2 each grant detailing the proposed use of the grant and the secretary approves the
3 plan.

4 (c) The Wisconsin Procurement Institute enters into a written agreement with
5 the department that specifies the conditions for use of the grant proceeds, including
6 reporting and auditing requirements.

7 (d) The Wisconsin Procurement Institute agrees in writing to submit to the
8 department the report required under sub. (2) by the time required under sub. (2).

9 (2) If the Wisconsin Procurement Institute receives a grant under this section,
10 it shall submit to the department, within 6 months after spending the full amount
11 of the grant, a report detailing how the grant proceeds were used.

12 (3) The department may not make grants under sub. (1) that exceed \$100,000
13 in total in any year.

14 **SECTION 2983c.** 560.28 of the statutes is created to read:

15 **560.28 Biotechnology development finance company. (1)** In this section:

16 (a) “Biotechnology” means technology related to life sciences.

17 (b) “Capital participation instrument” means all of the following:

18 1. Any of the following or an option or other right to acquire any of the following:

19 a. Common or preferred capital stock.

20 b. Convertible securities.

21 c. Evidences of long-term or short-term indebtedness.

22 d. Warrants.

23 e. Subscriptions.

24 f. Partnership or membership interests.

1 2. Royalties or other lawful derivations of a capital participation instrument
2 listed under subd. 1.

3 (c) “Cost of a project” means costs associated with the design, planning and
4 implementation of a project that, in accordance with sound business and financial
5 practices, are appropriate charges to the project. The costs may include the costs of
6 planning and design, options to buy land, feasibility or other studies, equipment,
7 seed money, construction, working capital and any other costs determined by the
8 biotechnology development finance company to be necessary to the purposes of this
9 section.

10 (d) “Project” means commercial, industrial or other economic activity that is
11 undertaken by a biotechnology company in this state.

12 **(2)** (a) The department shall organize and maintain a biotechnology
13 development finance company as a nonstock, nonprofit corporation under ch. 181 for
14 the exclusive purpose of investing in new or existing biotechnology companies in this
15 state. From the appropriation under s. 20.143 (1) (c), the department shall make a
16 one-time grant to the company for start-up capital and for reasonable
17 administrative expenses of the company. The grant under this paragraph may not
18 exceed \$1,000,000.

19 (b) Subject to par. (c), the biotechnology development finance company may
20 purchase a capital participation instrument of a project. The biotechnology
21 development finance company shall ensure that all of the following apply with
22 respect to a project before any investment is made in the project:

23 1. The biotechnology company has certified that the project plans conform to
24 all applicable environmental, zoning, building, planning or sanitation laws.

1 2. There is a reasonable expectation that the biotechnology company will be
2 successful.

3 3. Private industry has not provided sufficient capital required for the project.

4 4. The investment is necessary to the successful completion of the proposed
5 project because other investment in the project is unavailable in the traditional
6 capital markets, or because capital has been offered on terms that would preclude
7 the success of the project.

8 5. Provision has been made by contract for adequate reporting of financial data
9 by the project to the biotechnology development finance company. Those provisions
10 may include a requirement for an annual or other periodic audit of the project's
11 financial records.

12 6. The proceeds of the purchase will be used solely in connection with the costs
13 of the project.

14 7. The biotechnology company is able to manage its project responsibilities.

15 (c) 1. The biotechnology development finance company may not own more than
16 49% of the voting stock or other interest in any enterprise as a result of a purchase
17 under par. (b).

18 2. The total investment by the biotechnology development finance company in
19 any one biotechnology company may not exceed \$200,000.

20 (d) The findings made by the biotechnology development finance company with
21 respect to whether a project meets the conditions under par. (b) 1. to 7. are conclusive.

22 **(3)** The department shall enter into a contract with the biotechnology
23 development finance company. The contract shall provide that the department may
24 make use of the services of the biotechnology development finance company and that
25 the department shall advise, assist and provide administrative services to the

1 biotechnology development finance company. The department shall determine the
2 type and scope of any administrative services provided by the department to the
3 biotechnology development finance company. The department may assign employees
4 or contract with private or state agencies to perform the administrative services. The
5 biotechnology development finance company may not engage in political activities.

6 **(4)** (a) The board of directors of the biotechnology development finance
7 company shall consist of all of the following members:

8 1. The secretary, or his or her designee.

9 2. The secretary of administration, or his or her designee.

10 3. The executive director of the investment board, or his or her designee.

11 4. The executive director of the Wisconsin Housing and Economic Development
12 Authority, or his or her designee.

13 5. The president of the University of Wisconsin System, or his or her designee.

14 6. The president of Forward Wisconsin, Inc., or his or her designee.

15 7. A representative of the state's biotechnology research community.

16 8. A representative of the state's biotechnology industry.

17 9. A representative of the state's venture capital industry.

18 (b) The members under par. (a) 7. to 9. shall serve 5-year terms and the initial
19 members under par. (a) 7. to 9. shall be appointed by the governor. The biotechnology
20 development finance company, in its bylaws, shall specify the method for electing
21 new members under par. (a) 7. to 9. and for filling vacancies.

22 **(5)** Annually, the biotechnology development finance company shall provide a
23 report on its activities to the appropriate standing committees of each house of the
24 legislature in the manner provided under s. 13.172 (3) and to the governor.

1 **(6)** The assets transferred to, and the assets and liabilities of, the biotechnology
2 development finance company shall be separate from all other assets and liabilities
3 of the state, of all political subdivisions of the state and of the department. Neither
4 the state, any political subdivision of the state nor the department guarantees any
5 obligation of or has any obligation to the biotechnology development finance
6 company. Neither the state, any political subdivision of the state nor the department
7 is liable for any debt or liability of the biotechnology development finance company.

8 **SECTION 2984.** 560.60 (4) of the statutes is amended to read:

9 560.60 **(4)** “Eligible recipient” means a governing body or a person who is
10 eligible to receive a grant under s. ~~560.615~~, a grant or loan under s. 560.62, a grant
11 or loan under s. 560.63 or a grant or loan under s. 560.65.

12 **SECTION 2985.** 560.60 (10) of the statutes is amended to read:

13 560.60 **(10)** “Job” means a ~~regular, nonseasonal full-time position in which an~~
14 ~~individual, as a condition of employment, is required to work at least 2,080 hours per~~
15 ~~year, including paid leave and holidays~~ position providing full-time equivalent
16 employment. “Job” does not include initial training before an employment position
17 begins.

18 **SECTION 2986.** 560.605 (1) (e) (intro.) and 1. of the statutes are consolidated,
19 renumbered 560.605 (1) (e) and amended to read:

20 560.605 **(1)** (e) ~~The~~ Except as provided in s. 560.68 (6), the eligible recipient
21 receiving the grant or loan will contribute, from funds not provided by this state,
22 ~~whichever of the following applies: 1. Except as provided under subd. 3. and s. 560.68~~
23 ~~(6),~~ not less than 25% of the cost of the project.

24 **SECTION 2987.** 560.605 (1) (e) 3. of the statutes is repealed.

25 **SECTION 2988.** 560.605 (1) (f) of the statutes is amended to read:

1 560.605 (1) (f) The project meets all criteria set forth in s. ~~560.615~~, 560.62,
2 560.63, 560.65 or 560.66, whichever is appropriate.

3 **SECTION 2989.** 560.605 (1) (g) of the statutes is amended to read:

4 560.605 (1) (g) Funds from the grant or loan under s. ~~560.615~~, 560.62, 560.63,
5 560.65 or 560.66 will not be used to pay overhead costs, except as provided in s. 560.65
6 (1m) (b), or to replace funds from any other source.

7 **SECTION 2990.** 560.605 (1) (i) of the statutes is created to read:

8 560.605 (1) (i) The eligible recipient has not received a grant under s. 560.25.

9 **SECTION 2991.** 560.605 (2) (intro.) of the statutes is amended to read:

10 560.605 (2) (intro.) The board shall consider all of the following before
11 awarding a grant or loan to an eligible recipient for a project under s. ~~560.615~~, 560.62,
12 560.63 or 560.66:

13 **SECTION 2992.** 560.605 (2m) (intro.) of the statutes is amended to read:

14 560.605 (2m) (intro.) When considering whether a project under s. ~~560.615~~,
15 560.62, 560.63 or 560.66 will be located in a targeted area, the board shall consider
16 all of the following:

17 **SECTION 2993.** 560.607 (3) of the statutes is created to read:

18 560.607 (3) Evaluation costs, collection costs, foreclosure costs and other costs
19 associated with administering the loan portfolio under this subchapter, excluding
20 staff salaries.

21 **SECTION 2994.** 560.61 (1) of the statutes is amended to read:

22 560.61 (1) Make a grant or loan to an eligible recipient for a project that meets
23 the criteria for funding under s. 560.605 (1) and (2) and under s. ~~560.615~~, 560.62,
24 560.63, 560.65 or 560.66, whichever is appropriate, from the appropriations under
25 s. 20.143 (1) (c), (cb), and (ie), ~~(s) and (sm)~~.

1 **SECTION 2995.** 560.615 of the statutes is repealed.

2 **SECTION 2996.** 560.62 (4) of the statutes is renumbered 560.607, and 560.607
3 (intro.) and (1), as renumbered, are amended to read:

4 **560.607 Miscellaneous and administrative expenditures.** (intro.) In each
5 biennium, the board department may expend or encumber up to a total of 1% of the
6 moneys appropriated under s. 20.143 (1) (c) for that biennium for any of the following:

7 **(1)** Evaluations of proposed technical research projects under s. 560.62.

8 **SECTION 2996g.** 560.63 (4) of the statutes is amended to read:

9 560.63 **(4)** The contribution required under s. 560.605 (1) (e) may consist of
10 funding or of in-kind contributions. Not more than 20% of the contribution of a
11 business may consist of funding which the business receives under the federal job
12 training partnership act, ~~29 USC 1501 to 1781~~ Workforce Investment Act of 1998,
13 29 USC 2801 to 2945.

14 **SECTION 2996p.** 560.65 (4) (a) of the statutes is repealed.

15 **SECTION 2997.** 560.66 (1) (intro.) of the statutes is amended to read:

16 560.66 **(1)** (intro.) The board may award grants and loans under s. 560.61 to
17 eligible recipients for any project that is not eligible for a grant or loan under s.
18 560.615, 560.62 or 560.63, if the board determines that the project is a major
19 economic development project and considers all of the following:

20 **SECTION 2998.** 560.68 (3) of the statutes is amended to read:

21 560.68 **(3)** The department may charge a grant or loan recipient an origination
22 fee of up to ~~1.5%~~ 2% of the grant or loan amount if the grant or loan exceeds \$200,000
23 and is awarded under s. 560.63 or 560.66. The department shall deposit all
24 origination fees collected under this subsection in the appropriation account under
25 s. 20.143 (1) (gm).

1 **SECTION 2998g.** 560.70 (7) of the statutes is amended to read:

2 560.70 (7) “Tax benefits” means the development zones credit under ss. 71.07
3 (2dx), 71.28 (1dx) and 71.47 (1dx), except that in s. 560.795, “tax benefits” means the
4 development zones investment credit under ss. 71.07 (2di), 71.28 (1di) and 71.47 (1di)
5 and the development zones credit under ss. 71.07 (2dx), 71.28 (1dx) and 71.47 (1dx).

6 **SECTION 2998p.** 560.737 (1) (b) of the statutes is amended to read:

7 560.737 (1) (b) A job training partnership program workforce investment
8 activity under 29 USC 1502 29 USC 2801 to 2945.

9 **SECTION 2999.** 560.745 (2) (a) of the statutes is amended to read:

10 560.745 (2) (a) When the department designates a development zone under s.
11 560.71, it shall establish a limit for tax benefits for the development zone determined
12 by allocating to the development zone a portion of \$33,155,000 \$38,155,000.

13 **SECTION 3000.** 560.75 (11) of the statutes is repealed.

14 **SECTION 3000n.** 560.785 (1) (intro.) of the statutes is amended to read:

15 560.785 (1) (intro.) For the development zone program under ss. 560.70 to
16 560.78, the development opportunity zone program under s. 560.795 and the
17 enterprise development zone program under s. 560.797, the department shall
18 promulgate rules that further define a person’s eligibility for tax benefits. The rules
19 shall do at least all of the following:

20 **SECTION 3001.** 560.785 (1) (b) (intro.) and 1. of the statutes are consolidated,
21 renumbered 560.785 (1) (b) and amended to read:

22 560.785 (1) (b) Allow a person to claim up to \$6,500 \$8,000 in tax benefits
23 during the time that an area is designated as a development zone, as a development
24 opportunity zone or as an enterprise development zone for ~~any of the following:~~
25 ~~Creating~~ creating a full-time job that is filled by a member of the target population.

1 **SECTION 3002.** 560.785 (1) (b) 2. of the statutes is repealed.

2 **SECTION 3003.** 560.785 (1) (bm) of the statutes is created to read:

3 560.785 (1) (bm) Allow a person to claim up to \$8,000 in tax benefits during the
4 time that an area is designated as an enterprise development zone for retaining a
5 full-time job if the department determines that the person made a significant capital
6 investment to retain the full-time job.

7 **SECTION 3004.** 560.785 (1) (c) (intro.) of the statutes is amended to read:

8 560.785 (1) (c) (intro.) Allow a person to claim up to \$4,000 \$6,000 in tax
9 benefits during the time that an area is designated as a development zone, as a
10 development opportunity zone or as an enterprise development zone for any of the
11 following:

12 **SECTION 3004m.** 560.785 (1) (d) of the statutes is amended to read:

13 560.785 (1) (d) Require Except for a person claiming tax benefits only for
14 environmental remediation under s. 71.07 (2dx) (b) 1., 71.28 (1dx) (b) 1. or 71.47 (1dx)
15 (b) 1., require at least 25% of the tax benefits claimed by a person to be based on
16 creating or retaining full-time jobs.

17 **SECTION 3005.** 560.785 (1) (e) of the statutes is amended to read:

18 560.785 (1) (e) Require at least one-third of the tax benefits claimed by a person
19 that are based on creating ~~or retaining~~ full-time jobs to be based on creating ~~or~~
20 ~~retaining~~ full-time jobs that are filled by members of the target population.

21 **SECTION 3005m.** 560.785 (1) (h) of the statutes is created to read:

22 560.785 (1) (h) Provide that a person's eligibility to claim tax benefits for
23 environmental remediation under s. 71.07 (2dx) (b) 1., 71.28 (1dx) (b) 1. or 71.47 (1dx)
24 (b) 1. is not based on creating or retaining jobs.

25 **SECTION 3006.** 560.785 (2) (c) of the statutes is created to read:

1 560.785 (2) (c) The requirement under ss. 560.70 (2m) and 560.797 (1) (am) that
2 an individual's position must be regular, nonseasonal and full-time and that the
3 individual must be required to work at least 2,080 hours per year, including paid
4 leave and holidays.

5 **SECTION 3006h.** 560.795 (1) (d) of the statutes is created to read:

6 560.795 (1) (d) An area in the city of Kenosha, the legal description of which
7 is provided to the department by the local governing body of the city of Kenosha.

8 **SECTION 3006j.** 560.795 (2) (a) of the statutes is amended to read:

9 560.795 (2) (a) Except as provided in par. (d), the designation of each area under
10 sub. (1) (a), (b) and (c) as a development opportunity zone shall be effective for 36
11 months, with the designation of the areas under sub. (1) (a) and (b) beginning on
12 April 23, 1994, and the designation of the area under sub. (1) (c) beginning on
13 April 28, 1995. Except as provided in par. (d), the designation of the area under sub.
14 (1) (d) as a development opportunity zone shall be effective for 84 months, beginning
15 on January 1, 2000.

16 **SECTION 3006L.** 560.795 (2) (b) 4. of the statutes is created to read:

17 560.795 (2) (b) 4. The limit for tax benefits for the development opportunity
18 zone under sub. (1) (d) is \$7,000,000.

19 **SECTION 3006n.** 560.795 (3) (a) 3. of the statutes is created to read:

20 560.795 (3) (a) 3. Any corporation that is conducting or that intends to conduct
21 economic activity in a development opportunity zone under sub. (1) (d) and that, in
22 conjunction with the local governing body of the city in which the development
23 opportunity zone is located, submits a project plan as described in par. (b) to the
24 department no later than July 1, 2000, shall be entitled to claim tax benefits while
25 the area is designated as a development opportunity zone.

1 **SECTION 3006p.** 560.795 (3) (d) of the statutes is amended to read:

2 560.795 **(3)** (d) The department annually shall verify information submitted
3 to the department under s. 71.07 (2di) or (2dx), 71.28 (1di) or (1dx) or 71.47 (1di) or
4 (1dx).

5 **SECTION 3008.** 560.795 (3) (e) of the statutes is repealed.

6 **SECTION 3009.** 560.797 (1) (aj) of the statutes is created to read:

7 560.797 **(1)** (aj) “Environmental remediation” has the meaning given in s. 71.07
8 (2dx) (a) 3.

9 **SECTION 3010.** 560.797 (2) (bg) of the statutes is created to read:

10 560.797 **(2)** (bg) Notwithstanding par. (a) and subject to pars. (c) and (d), the
11 department may designate an area as an enterprise development zone for a project
12 if the department determines all of the following:

- 13 1. That the project serves a public purpose.
- 14 2. That the project is not likely to occur or continue without the department’s
15 designation of the area as an enterprise development zone.
- 16 3. That the project will likely provide for significant environmental
17 remediation.

18 **SECTION 3011.** 560.797 (2) (br) of the statutes is created to read:

19 560.797 **(2)** (br) In making a determination under par. (bg), the department
20 shall consider all of the following:

- 21 1. The factors specified in par. (b) 1. to 8.
- 22 2. The environmental remediation that is likely to result from the project.

23 **SECTION 3012.** 560.797 (2) (d) of the statutes is amended to read:

24 560.797 **(2)** (d) The department may not designate more than 50 79 enterprise
25 development zones unless the department obtains the approval of the joint

1 committee on finance to do so. Of the enterprise development zones that the
2 department designates, at least 10 shall be designated under par. (bg).

3 **SECTION 3013.** 560.797 (4) (e) of the statutes is repealed.

4 **SECTION 3015.** 560.80 (5) of the statutes is amended to read:

5 560.80 (5) “Eligible recipient” means a person who is eligible to receive a grant
6 under s. 560.82 (5) or 560.837 or a grant or loan under s. 560.83 (5) (a) or (b) or
7 560.835.

8 **SECTION 3016.** 560.81 (2) of the statutes is amended to read:

9 560.81 (2) The board awards a grant or loan to the eligible recipient or local
10 development corporation under ss. 560.83 (1) and 560.84 or to the eligible recipient
11 under ss. 560.835 and 560.84.

12 **SECTION 3017.** 560.83 (1) of the statutes is amended to read:

13 560.83 (1) Subject to s. 560.84, the board may award a grant or loan under this
14 ~~section~~ subsection to an eligible recipient or a local development corporation to fund
15 eligible development project costs.

16 **SECTION 3018.** 560.83 (2) (intro.) of the statutes is amended to read:

17 560.83 (2) (intro.) The board may award a grant or loan under this ~~section~~
18 subsection to a local development corporation if all of the following apply:

19 **SECTION 3019.** 560.83 (4) (a) of the statutes is amended to read:

20 560.83 (4) (a) In any fiscal biennium, the board may not award, to any one
21 eligible recipient or local development corporation or for any one development
22 project, grants or loans under sub. (1) that total more than \$100,000 in a fiscal
23 biennium.

24 **SECTION 3020.** 560.83 (5) (intro.) of the statutes is amended to read:

1 560.83 (5) (intro.) ~~The~~ In addition to local development corporations, the board
2 may award grants or loans under sub. (1) only to persons who are any of the following:

3 **SECTION 3020m.** 560.835 (7) (b) of the statutes is amended to read:

4 560.835 (7) (b) The department shall deposit in the ~~recycling fund~~
5 appropriation account under s. 20.143 (1) (L) all moneys received after July 1, 1995
6 the effective date of this paragraph ... [revisor inserts date], in repayment of loans
7 made under this section.

8 **SECTION 3022.** 560.87 (6) of the statutes is amended to read:

9 560.87 (6) From the appropriation under s. 20.143 (1) ~~(dh)~~ (kh), make an
10 annual grant to the Great Lakes inter-tribal council in an amount equal to the
11 amount appropriated under s. 20.143 (1) ~~(dh)~~ (kh), to partially fund in the Great
12 Lakes inter-tribal council a liaison between American Indians, Indian businesses
13 and Indian tribes interested in targeted programs and the state agencies that
14 administer targeted programs.

15 **SECTION 3023.** 560.875 (1) of the statutes is amended to read:

16 560.875 (1) Annually, the department shall grant to the Great Lakes
17 inter-tribal council the amount appropriated under s. 20.143 (1) ~~(df)~~ (kf) to partially
18 fund a program to provide technical assistance for economic development on Indian
19 reservations if the conditions under subs. (2) and (3) are satisfied.

20 **SECTION 3023f.** 562.05 (1c) of the statutes is amended to read:

21 562.05 (1c) If the applicant for a license under this section is an individual, the
22 department may not issue or renew a license if the individual has not provided his
23 or her social security number, unless the individual does not have a social security
24 number and the applicant submits a statement made or subscribed under oath or
25 affirmation as required under sub. (1e). If the applicant for a license under this

1 section is not an individual, the department may not issue or renew a license if the
2 person has not provided the person's federal employer identification number.

3 **SECTION 3023g.** 562.05 (1e) of the statutes is created to read:

4 562.05 (1e) If an applicant for a license under this section is an individual who
5 does not have a social security number, the applicant shall submit to the department
6 with his or her application a statement made or subscribed under oath or affirmation
7 that the applicant does not have a social security number. The form of the statement
8 shall be prescribed by the department of workforce development. A license issued
9 in reliance upon a false statement submitted under this subsection is invalid.

10 **SECTION 3023k.** 562.05 (7) (am) 1. of the statutes is amended to read:

11 562.05 (7) (am) 1. The department shall require each person who is subject to
12 an investigation under par. (a) and who is an individual to provide his or her social
13 security number, unless the person is an individual who does not have a social
14 security number and the person submits a statement made or subscribed under oath
15 or affirmation as required under sub. (1e).

16 **SECTION 3023j.** 562.065 (4) of the statutes is amended to read:

17 562.065 (4) UNCLAIMED PRIZES. ~~Any~~ A licensee under s. 562.05 (1) (b) may retain
18 any winnings on a race which ~~that~~ are not claimed within 90 days after the end of
19 the period authorized for racing in that year under s. 562.05 (9) shall be paid to the
20 department. The department shall credit moneys received under this subsection to
21 the appropriation accounts under ss. 20.455 (2) (g) and 20.505 (8) (g).

22 **SECTION 3023t.** 565.02 (2) (e) of the statutes is created to read:

23 565.02 (2) (e) If requested by a lottery prize winner to provide a certification
24 that lists the amounts of the lottery prize payments, if any, that the administrator

1 is required to withhold under s. 565.30 (4), (5), (5m) and (5r), the administrator shall
2 provide the certification.

3 **SECTION 3024.** 565.02 (4) (g) of the statutes is created to read:

4 565.02 (4) (g) Establishing a program to provide for additional compensation,
5 above the compensation provided under s. 565.10 (14) (b) 1. or 2., to be paid to
6 retailers who meet certain performance goals identified by the department. Under
7 this program, the total compensation provided to retailers may not exceed 1.0% of
8 the gross revenues from the sale of lottery tickets and lottery shares.

9 **SECTION 3025.** 565.10 (14) (b) 3m. of the statutes is created to read:

10 565.10 (14) (b) 3m. The department may, in rules promulgated under s. 565.02
11 (4) (g), provide for additional compensation, above the compensation provided under
12 subd. 1. or 2., to be paid to retailers who meet certain performance goals identified
13 by the department.

14 **SECTION 3025g.** 565.28 of the statutes is created to read:

15 **565.28 Lottery prize payment option.** (1) (a) A person who becomes
16 entitled to receive payment of a lottery prize under s. 565.30 (1) on or after the
17 effective date of this paragraph [revisor inserts date], may elect to receive
18 payment of the lottery prize in the form of a lump sum or in instalments over a period
19 of years if the lottery prize is payable over at least 10 years.

20 (b) A person who chooses to make an election under par. (a) shall make the
21 election no later than 60 days after becoming entitled to the lottery prize. An election
22 made under par. (a) is final and may not be revoked.

23 (c) If a person eligible to make an election under par. (a) does not make an
24 election within 60 days after becoming entitled to a lottery prize, the administrator
25 shall make payment in the form of an annuity.

1 **(2)** (a) A person who became entitled to receive payment of a lottery prize under
2 s. 565.30 (1) on or before October 21, 1998, and who currently receives payment of
3 the lottery prize in the form of an annuity may elect to change the form of payment
4 to a lump sum if the lottery prize is payable over at least 10 years.

5 (b) A person who chooses to make an election under par. (a) shall make the
6 election no earlier than July 1, 1999, and no later than December 31, 2000. An
7 election made under par. (a) is final and may not be revoked.

8 **SECTION 3025j.** 565.30 (1) of the statutes is amended to read:

9 **565.30 (1) PAYMENT OF PRIZES.** The administrator shall direct the payment of
10 a prize, in the form elected under s. 565.28, if applicable, to the holder of the winning
11 lottery ticket or lottery share or to a person designated under sub. (2), except that a
12 prize may be paid to another person under a court order or to the estate of a deceased
13 prize winner. The department, administrator, state and any contractor for
14 materials, equipment or services of the game in which the prize is won are discharged
15 of all liability upon payment of the prize to the holder of a winning lottery ticket or
16 lottery share.

17 **SECTION 3025m.** 565.30 (5) of the statutes, as affected by 1997 Wisconsin Act
18 27, is amended to read:

19 **565.30 (5) WITHHOLDING OF DELINQUENT STATE TAXES, CHILD SUPPORT OR DEBTS**
20 **OWED THE STATE.** The administrator shall report the name, address and social security
21 number of each winner of a lottery prize equal to or greater than \$1,000 and the
22 name, address and social security number of each person to whom a lottery prize
23 equal to or greater than \$1,000 has been assigned to the department of revenue to
24 determine whether the payee or assignee of the prize is delinquent in the payment
25 of state taxes under ch. 71, 72, 76, 77, 78 or 139 or in court-ordered payment of child

1 support or has a debt owing to the state. Upon receipt of a report under this
2 subsection, the department of revenue shall first ascertain based on certifications by
3 the department of workforce development or its designee under s. 49.855 (1) whether
4 any person named in the report is currently delinquent in court-ordered payment
5 of child support and shall next certify to the administrator whether any person
6 named in the report is delinquent in court-ordered payment of child support or
7 payment of state taxes under ch. 71, 72, 76, 77, 78 or 139. Upon this certification by
8 the department of revenue or upon court order the administrator shall withhold the
9 certified amount and send it to the department of revenue for remittance to the
10 appropriate agency or person. At the time of remittance, the department of revenue
11 shall charge its administrative expenses to the state agency that has received the
12 remittance. The administrative expenses received by the department of revenue
13 shall be credited to the appropriation under s. 20.566 (1) (h). In instances in which
14 the payee or assignee of the prize is delinquent both in payments for state taxes and
15 in court-ordered payments of child support, or is delinquent in one or both of these
16 payments and has a debt owing to the state, the amount remitted to the appropriate
17 agency or person shall be in proportion to the prize amount as is the delinquency or
18 debt owed by the payee or assignee.

19 **SECTION 3025p.** 565.30 (5m) of the statutes is renumbered 565.30 (5m) (a) and
20 amended to read:

21 565.30 (5m) (a) WITHHOLDING OF CHILD SUPPORT, SPOUSAL SUPPORT, MAINTENANCE
22 OR FAMILY SUPPORT. The administrator shall report to the department of workforce
23 development the name, address and social security number of each winner of a
24 lottery prize that is payable in instalments and the name, address and social security
25 number or federal income tax number of the person who has been assigned a lottery

1 prize that is payable in instalments. Upon receipt of the report, the department of
2 workforce development shall certify to the administrator whether any payee or
3 assignee named in the report is obligated to provide child support, spousal support,
4 maintenance or family support under s. 767.02 (1) (f) or (g), 767.10, 767.23, 767.25,
5 767.26, 767.261, 767.458 (3), 767.465 (2m), 767.477, 767.51 (3), 767.62 (4) (a) or
6 948.22 (7) or ch. 769 and the amount required to be withheld from the lottery prize
7 under s. 767.265. The Subject to par. (b), the administrator shall withhold the
8 certified amount from each payment made to the winner or assignee and remit the
9 certified amount to the department of workforce development.

10 **SECTION 3025pa.** 565.30 (5m) (a) of the statutes, as affected by 1999 Wisconsin
11 Act (this act), is amended to read:

12 **565.30 (5m) (a)** WITHHOLDING OF CHILD SUPPORT, SPOUSAL SUPPORT, MAINTENANCE
13 OR FAMILY SUPPORT. The administrator shall report to the department of workforce
14 development the name, address and social security number of each winner of a
15 lottery prize that is payable in instalments and the name, address and social security
16 number or federal income tax number of the person who has been assigned a lottery
17 prize that is payable in instalments. Upon receipt of the report, the department of
18 workforce development shall certify to the administrator whether any payee or
19 assignee named in the report is obligated to provide child support, spousal support,
20 maintenance or family support under s. 767.02 (1) (f) or (g), 767.10, 767.23, 767.25,
21 767.26, 767.261, 767.458 (3), 767.465 (2m), 767.477, 767.51 (3), 767.62 (4) (a) or
22 948.22 (7) or ch. 769 and the amount required to be withheld from the lottery prize
23 under s. 767.265. Subject to par. (b), the administrator shall withhold the certified
24 amount from each payment made to the winner or assignee and remit the certified
25 amount to the department of workforce development.

1 **SECTION 3025pc.** 565.30 (5m) (b) of the statutes is created to read:

2 565.30 **(5m)** (b) The administrator may not withhold from any payment to an
3 assignee of a lottery prize any child support, spousal support, maintenance or family
4 support specified in par. (a) that is owed by a winner of a lottery prize, nor may the
5 administrator withhold from any payment to a winner any child support, spousal
6 support maintenance or family support that is owed by an assignee.

7 **SECTION 3025pf.** 565.30 (5r) (a) of the statutes is amended to read:

8 565.30 **(5r)** (a) Annually, the administrator shall provide each clerk of circuit
9 court in the state with a list of the winners or assignees of a lottery prize that is
10 payable in instalments. The list shall include each winner or assignee since the date
11 of the previous list.

12 **SECTION 3025pg.** 565.30 (5r) (b) of the statutes is amended to read:

13 565.30 **(5r)** (b) If Subject to par. (c), if the administrator receives a notice under
14 s. 973.05 (5) (a) or 778.30 (2) (a) of the assignment of lottery prizes under s. 973.05
15 (4) (c) or 778.30 (1) (c) and determines that the person subject to the assignment is
16 a winner or assignee of a lottery prize that is payable in instalments, the
17 administrator shall withhold the amount of the judgment that is the basis of the
18 assignment from the next instalment payment. The administrator shall submit the
19 withheld amount to the court that issued the assignment. At the time of the
20 submittal, the administrator shall charge the administrative expenses related to
21 that withholding and submittal to the winner or assignee of the lottery prize and
22 withhold those expenses from the balance of the instalment payment. The
23 administrator shall notify the winner or assignee of the reason that the amount is
24 withheld from the instalment payment. If the initial instalment payment is
25 insufficient to pay the judgment and administrative expenses, the administrator

1 shall withhold and submit to the court an amount from any additional instalment
2 payments until the judgment and administrative expenses are paid in full and the
3 assignment is no longer in effect. The administrative expenses received by the
4 department shall be credited to the appropriation under s. 20.566 (1) (h).

5 **SECTION 3025ph.** 565.30 (5r) (c) of the statutes is created to read:

6 565.30 (5r) (c) The administrator may not withhold from any payment to an
7 assignee of a lottery prize the amount specified in par. (b) that is owed by a winner
8 of a lottery prize, nor may the administrator withhold from any payment to a winner
9 the amount specified in par. (b) that is owed by an assignee.

10 **SECTION 3025pj.** 565.30 (5t) of the statutes is amended to read:

11 565.30 (5t) PRIORITY OF WITHHOLDING. (intro.) The administrator shall withhold
12 payments under this section from a winner or assignee of a lottery prize in the
13 following order:

14 **SECTION 3025pL.** 565.30 (6) of the statutes is repealed.

15 **SECTION 3025pm.** 565.30 (6m) of the statutes is created to read:

16 565.30 (6m) USE OF LOTTERY PRIZE AS SECURITY FOR LOAN. (a) *Definition.* In this
17 subsection, “prize winner” means a person who has won a lottery prize and any other
18 person who is authorized by law to use a lottery prize as security for a loan.

19 (b) *Security for a loan.* A prize winner may use a lottery prize or part of a lottery
20 prize as security for a loan only pursuant to a court order issued under this
21 subsection.

22 (c) *Judicial process for using lottery prizes as security for loans.* Any prize
23 winner who intends to use part or all of a lottery prize as security for a loan shall
24 petition the circuit court of the county in which the prize winner resides or the circuit
25 court of Dane County for a court order confirming the use of a lottery prize as security

1 for a loan. The circuit court of the county in which the prize winner resides or the
2 circuit court of Dane County shall issue an order confirming the use of a lottery prize
3 as security for a loan only if all of the following occur:

4 1. The prize winner is represented by independent legal counsel.

5 2. A copy of the contract that provides for using any part of the lottery prize as
6 security for the loan is attached to the petition.

7 3. The contract is executed by the prize winner, is subject to the laws of this
8 state and provides that the prize winner has the right to cancel the contract until
9 midnight of the 3rd business day after the date on which the prize winner entered
10 into the contract.

11 4. The prize winner attests, by sworn affidavit, that he or she is of sound mind,
12 is not acting under duress and acknowledges that the state will not make any of the
13 lottery prize payments or parts of lottery prize payments to the prize winner that are
14 being used as security for the loan in the event the prize winner defaults on the loan.

15 5. The prize winner, by sworn affidavit, provides the court with an accounting
16 of all claims to, or judgments, liens, security interests, garnishments, assignments
17 or attachments against, all or any part of the lottery prize payments.

18 6. The prize winner provides the court a certification from the administrator
19 that lists the amounts of the lottery prize payments, if any, that the administrator
20 is required to withhold for the prize winner under subs. (4), (5), (5m) and (5r).

21 7. The part of the lottery prize that is being used as security for the loan does
22 not include the amounts of any withholdings specified under subs. (4), (5), (5m) and
23 (5r).

24 8. The court determines that the interest rate on the loan does not exceed the
25 weekly prime rate for the week prior to the date on which the court received a copy

1 of the contract, as reported by the federal reserve board in federal reserve statistical
2 release H. 15, plus 6%. In making the calculation under this subdivision, the court
3 shall subtract from the compensation received by the individual or organization
4 making the loan any required fees or other costs charged the prize winner.

5 (d) *Contents of court order.* A court order issued under par. (c) shall include all
6 of the following:

7 1. The name of the prize winner.

8 2. The prize winner's social security number if the prize winner is an
9 individual, or federal income tax identification number if the prize winner is an
10 organization.

11 3. The name of the individual or organization that is making the loan to the
12 prize winner.

13 4. The social security number of the individual or the federal income tax
14 identification number of the organization that is making the loan to the prize winner.

15 5. If an individual is making the loan to the prize winner, the citizenship of the
16 individual. If the individual is not a citizen of the United States of America, the order
17 shall include the individual's resident alien number.

18 (e) *Administration.* Upon receipt of a court order issued under par. (c), the
19 individual or organization making the loan shall provide a certified copy of the court
20 order to the administrator. The administrator shall acknowledge receipt of the court
21 order in writing to the individual or organization making the loan and shall make
22 all lottery prize payments according to the terms specified in the court order. The
23 administrator may charge an initial processing fee, in an amount determined by
24 rule, to cover any costs associated with processing the lottery prize payments in
25 accordance with the terms specified in the court order.

1 **SECTION 3025pp.** 565.30 (6r) of the statutes is created to read:

2 **565.30 (6r) VOLUNTARY ASSIGNMENT OF LOTTERY PRIZE.** (a) *Definition.* In this
3 subsection, “assignor” means a lottery prizewinner or a person who has the right to
4 assign all or part of a lottery prize.

5 (b) *Voluntary assignment.* An assignor may make a voluntary assignment of
6 a lottery prize or part of a lottery prize only pursuant to a court order issued under
7 this subsection.

8 (c) *Judicial process for assignment.* Any assignor who intends to voluntarily
9 assign part or all of a lottery prize to any individual or organization shall petition the
10 circuit court of the county in which the assignor resides or the circuit court of Dane
11 County for a court order confirming the assignment. The circuit court of the county
12 in which the assignor resides or the circuit court of Dane County shall issue an order
13 confirming the assignment only if all of the following occur:

14 1. The assignor is represented by independent legal counsel.

15 2. A copy of the assignment is attached to the petition.

16 3. The assignment is in writing, is executed by the assignor and is subject to
17 the laws of this state.

18 3m. The contract for the assignment provides that the assignor has the right
19 to cancel the contract until midnight of the 3rd business day after the date on which
20 the assignor entered into the contract.

21 3r. The contract for the assignment provides that the assignor, from the
22 proceeds received from the individual or organization to whom part or all of the
23 lottery prize is assigned, agrees to pay in full any delinquent payments that may be
24 owed by the assignor under subs. (4), (5), (5m) and (5r).

1 4. The assignor attests, by sworn affidavit, that he or she is of sound mind, is
2 not acting under duress and acknowledges that the state will not make any of the
3 assigned lottery prize payments or parts of lottery prize payments to the assignor.

4 5. The assignor, by sworn affidavit, provides the court with an accounting of all
5 claims to, or judgments, liens, security interests, garnishments, assignments or
6 attachments against, all or any part of the lottery prize payments.

7 6. The assignment does not include the amounts of any withholdings specified
8 under sub. (4), (5), (5m) or (5r).

9 7. The assignor provides the court a certification from the administrator that
10 lists the amounts of the lottery prize payments, if any, that the administrator is
11 required to withhold for the assignor under subs. (4), (5), (5m) and (5r).

12 8. The payment that the assignor will receive as compensation for the
13 assignment is at least equal to the present value of the assigned lottery prize
14 payments, discounted at a rate no greater than the weekly prime rate for the week
15 prior to the date on which the court received a copy of the assignment, as reported
16 by the federal reserve board in federal reserve statistical release H. 15, plus 6%. In
17 making the calculation under this subdivision, the court shall subtract from the
18 compensation received by the assignor any required fees or other costs charged the
19 assignor.

20 9. The individual or organization to whom part or all of the lottery prize is
21 assigned specifies in an affidavit that the individual or organization agrees to report
22 and pay any state income or franchise tax that is owed on any income or gain realized
23 from the purchase and subsequent sale or redemption of any lottery prize.

24 (d) *Contents of court order.* A court order issued under par. (c) shall include all
25 of the following:

1 1. The name of the prizewinner or the name of the assignor, if different from
2 the prizewinner.

3 2. The assignor's social security number if the assignor is an individual, or
4 federal income tax identification number if the assignor is an organization.

5 3. The name of the individual or organization to whom part or all of the lottery
6 prize is assigned.

7 4. The social security number of the individual or the federal income tax
8 identification number of the organization to whom part or all of the lottery prize is
9 assigned.

10 5. If part or all of the lottery prize is assigned to an individual, the citizenship
11 of the individual. If the individual is not a citizen of the United States of America,
12 the order shall include the individual's resident alien number.

13 6. The number of assigned lottery prize payments and the dates on which the
14 assigned lottery prize payments are to be paid.

15 7. The gross amount of each of the lottery prize payments that are subject to
16 withholding for tax purposes and that are assigned.

17 (e) *Administration of lottery prize assignment.* Upon receipt of a court order
18 issued under par. (c), the individual or organization to whom the lottery prize is
19 assigned shall provide a certified copy of the court order to the administrator. The
20 administrator shall acknowledge receipt of the court order in writing to the
21 individual or organization to whom the lottery prize is assigned and shall make all
22 lottery prize payments according to the terms specified in the court order. The
23 administrator may charge an initial processing fee, in an amount determined by
24 rule, to cover any costs associated with processing the lottery prize payments in
25 accordance with the terms specified in the court order.

1 **SECTION 3025w.** 565.45 of the statutes is amended to read:

2 **565.45 Report on expense limitation.** Before January 1, ~~1992~~ 2002, and
3 every 2 years thereafter, the department shall submit a report to the chief clerk of
4 each house of the legislature, for distribution to the legislature under s. 13.172 (2),
5 on the effects on the operation of the lottery of the 10% expense limitation under s.
6 25.75 (3) (b).

7 **SECTION 3025t.** 569.01 (1j) of the statutes is created to read:

8 **569.01 (1j)** “Indian gaming facility” means a facility at which Indian gaming
9 is conducted under an Indian gaming compact.

10 **SECTION 3026.** 569.01 (1m) (d) of the statutes is created to read:

11 **569.01 (1m)** (d) Moneys received by the state from Indian tribes pursuant to
12 an Indian gaming compact, except moneys received as direct reimbursements to the
13 department of justice.

14 **SECTION 3026h.** 569.01 (4) of the statutes is created to read:

15 **569.01 (4)** “Net win” means the amount wagered at an Indian gaming facility,
16 less the amount paid out in winnings at the Indian gaming facility.

17 **SECTION 3026p.** 569.02 (5) of the statutes is created to read:

18 **569.02 (5)** On March 1 annually, for each payment of Indian gaming receipts,
19 as described under s. 569.01 (1m) (d), received by the state from an Indian tribe in
20 the prior calendar year, determine the amount to be transferred under s. 20.505 (8)
21 (hm) to the appropriation account under s. 20.835 (2) (ka) by doing all of the
22 following:

23 (a) Dividing the net win in the prior calendar year at all of the Indian tribe’s
24 Indian gaming facilities at which pari-mutuel racing is conducted and at which
25 pari-mutuel racing under ch. 562 was conducted on the effective date of this

1 paragraph [revisor inserts date], by the net win in the prior calendar year at all
2 of the Indian tribe's Indian gaming facilities.

3 (b) Multiplying the number calculated under par. (a) by the amount of Indian
4 gaming receipts, as described under s. 569.01 (1m) (d), received by the state from the
5 Indian tribe in the prior calendar year.

6 **SECTION 3027.** 569.06 of the statutes is amended to read:

7 **569.06 Indian gaming receipts.** Indian gaming receipts shall be credited to
8 the appropriation accounts under ss. 20.455 (2) (gc) and 20.505 (8) (h) and (hm) as
9 specified under ss. 20.455 (2) (gc) and 20.505 (8) (h) and (hm).

10 **SECTION 3027r.** 600.01 (1) (b) 8. of the statutes is amended to read:

11 600.01 (1) (b) 8. Guarantees of the Wisconsin Housing and Economic
12 Development Authority under s. 234.68, 1995 stats., s. 234.69, 1995 stats., s.
13 234.765, 1995 stats., s. 234.82, 1995 stats., s. 234.87, 1995 stats., and ss. 234.67,
14 234.83, 234.84, ~~234.88~~, 234.90, 234.905, 234.907 and 234.91.

15 **SECTION 3028.** 600.01 (1) (b) 10. of the statutes is created to read:

16 600.01 (1) (b) 10. a. Except as provided in subd. 10. b., long-term care services
17 funded by the family care benefit, as defined in s. 46.2805 (4), that are provided by
18 a care management organization that contracts with the department of health and
19 family services under s. 46.284 and enrolls only individuals who are eligible under
20 s. 46.286.

21 b. The exemption under subd. 10. a. does not apply if the services offered by the
22 care management organization include hospital, physician or other acute health care
23 services.

24 **SECTION 3029.** 601.31 (1) (k) 6. of the statutes is created to read:

25 601.31 (1) (k) 6. Domestic mutual insurance holding companies, \$100.

1 **SECTION 3030.** 601.31 (1) (L) 1. of the statutes is repealed.

2 **SECTION 3031.** 601.31 (1) (m) (intro.) of the statutes is renumbered 601.31 (1)
3 (m) and amended to read:

4 601.31 **(1)** (m) For regulating resident intermediaries and nonresident
5 intermediaries, annually after the year in which the initial license is issued, amounts
6 to be set by the commissioner by rule and paid at times and under procedures set by
7 the commissioner, ~~but not to exceed:~~

8 **SECTION 3032.** 601.31 (1) (m) 1. of the statutes is repealed.

9 **SECTION 3033.** 601.31 (1) (m) 2. of the statutes is repealed.

10 **SECTION 3034.** 601.31 (1) (m) 3. of the statutes is renumbered 601.31 (1) (mc)
11 and amended to read:

12 601.31 **(1)** (mc) ~~Holder~~ For regulating a holder of a license to place business
13 under s. 618.41, annually after the year in which the initial license is issued, an
14 amount to be set by the commissioner by rule and paid at times and under procedures
15 set by the commissioner, but not to exceed \$100.

16 **SECTION 3035.** 601.31 (1) (o) of the statutes is amended to read:

17 601.31 **(1)** (o) For examination of an applicant for a license as an insurance
18 intermediary, an amount to be set by the commissioner by rule ~~but not to exceed \$50~~
19 ~~and not to exceed the reasonably estimated average cost of the examination and~~
20 ~~investigation of an intermediary.~~

21 **SECTION 3035c.** 609.05 (2) of the statutes is amended to read:

22 609.05 **(2)** Subject to s. 609.22 (4) and (4m), a limited service health
23 organization, preferred provider plan or managed care plan may require an enrollee
24 to designate a primary provider and to obtain health care services from the primary
25 provider when reasonably possible.

1 **SECTION 3035f.** 609.05 (3) of the statutes is amended to read:

2 609.05 **(3)** Except as provided in ss. 609.22 (4m), 609.65 and 609.655, a limited
3 service health organization, preferred provider plan or managed care plan may
4 require an enrollee to obtain a referral from the primary provider designated under
5 sub. (2) to another participating provider prior to obtaining health care services from
6 that participating provider.

7 **SECTION 3036c.** 609.10 (title) of the statutes is amended to read:

8 **609.10 (title) Standard plan and point-of-service option plan required.**

9 **SECTION 3036d.** 609.10 (1) (a) of the statutes is renumbered 609.10 (1) (am) and
10 amended to read:

11 609.10 **(1)** (am) Except as provided in subs. (2) to (4), an employer that offers
12 any of its employes a health maintenance organization or a preferred provider plan
13 that provides comprehensive health care services shall also offer the employes a
14 standard plan, ~~as provided in pars. (b) and (c)~~, that provides at least substantially
15 equivalent coverage of health care expenses and a point-of-service option plan, as
16 provided in pars. (b) and (c).

17 **SECTION 3036e.** 609.10 (1) (ac) of the statutes is created to read:

18 609.10 **(1)** (ac) In this section, “point-of-service option plan” means a health
19 maintenance organization or preferred provider plan that permits an enrollee to
20 obtain covered health care services from a provider that is not a participating
21 provider of the health maintenance organization or preferred provider plan under all
22 of the following conditions:

23 1. The nonparticipating provider holds a license or certificate that authorizes
24 or qualifies the provider to provide the health care services.

1 2. The health maintenance organization or preferred provider plan is required
2 to pay the nonparticipating provider only the amount that the health maintenance
3 organization or preferred provider plan would pay a participating provider for those
4 health care services.

5 3. The enrollee is responsible for any additional costs or charges related to the
6 coverage.

7 **SECTION 3036f.** 609.10 (1) (b) of the statutes is amended to read:

8 609.10 (1) (b) At least once annually, the employer shall provide the employes
9 the opportunity to enroll in the health care plans under par. (a) (am).

10 **SECTION 3036g.** 609.10 (1) (c) of the statutes is amended to read:

11 609.10 (1) (c) The employer shall provide the employes adequate notice of the
12 opportunity to enroll in the health care plans under par. (a) (am) and shall provide
13 the employes complete and understandable information concerning the differences
14 between among the health maintenance organization or preferred provider plan and,
15 the standard plan and the point-of-service option plan.

16 **SECTION 3036h.** 609.10 (2) of the statutes is amended to read:

17 609.10 (2) If, after providing an opportunity to enroll under sub. (1) (b) and the
18 notice and information under sub. (1) (c), fewer than 25 employes indicate that they
19 wish to enroll in either the standard plan or the point-of-service option plan under
20 sub. (1) (a) (am), the employer need not offer the standard that plan on that occasion.

21 **SECTION 3036i.** 609.10 (3) of the statutes is renumbered 609.10 (3) (intro.) and
22 amended to read:

23 609.10 (3) (intro.) Subsection (1) does not apply to an employer that employs
24 does any of the following:

25 (a) Employes fewer than 25 full-time employes.

1 **SECTION 3036j.** 609.10 (3) (b) of the statutes is created to read:

2 609.10 **(3)** (b) Offers its employes a health maintenance organization or a
3 preferred provider plan only through an insurer that is a cooperative association
4 organized under ss. 185.981 to 185.985 or only through an insurer that is restricted
5 under s. 609.03 (3).

6 **SECTION 3036k.** 609.10 (6) of the statutes is created to read:

7 609.10 **(6)** The commissioner shall promulgate rules necessary for the
8 administration of the requirement to offer point-of-service option plans under sub.
9 (1) (am).

10 **SECTION 3036n.** 609.20 (3) of the statutes is amended to read:

11 609.20 **(3)** To define substantially equivalent coverage of health care expenses
12 for purposes of s. 609.10 (1) ~~(a)~~ (am).

13 **SECTION 3036p.** 609.20 (4) of the statutes is amended to read:

14 609.20 **(4)** To ensure that employes offered a health maintenance organization
15 or a preferred provider plan that provides comprehensive services under s. 609.10
16 (1) ~~(a)~~ (am) are given adequate notice of the opportunity to enroll, as well as complete
17 and understandable information under s. 609.10 (1) (c) concerning the differences
18 ~~between among~~ the health maintenance organization or preferred provider plan ~~and,~~
19 the standard plan and the point-of-service option plan, as defined in s. 609.10 (1)
20 (ac), including differences ~~between among~~ providers available and differences
21 resulting from special limitations or requirements imposed by an institutional
22 provider because of its affiliation with a religious organization.

23 **SECTION 3036r.** 609.22 (4m) of the statutes is created to read:

24 609.22 **(4m)** OBSTETRIC AND GYNECOLOGIC SERVICES. (a) A managed care plan
25 that provides coverage of obstetric or gynecologic services may not require a female

1 enrollee of the managed care plan to obtain a referral for covered obstetric or
2 gynecologic benefits provided by a participating provider who is a physician licensed
3 under ch. 448 and who specializes in obstetrics and gynecology, regardless of whether
4 the participating provider is the enrollee's primary provider. Notwithstanding sub.
5 (4), the managed care plan may not require the enrollee to obtain a standing referral
6 under the procedure established under sub. (4) (a) for covered obstetric or gynecologic
7 benefits.

8 (b) A managed care plan under par. (a) may not do any of the following:

9 1. Penalize or restrict the coverage of a female enrollee on account of her having
10 obtained obstetric or gynecologic services in the manner provided under par. (a).

11 2. Penalize or restrict the contract of a participating provider on account of his
12 or her having provided obstetric or gynecologic services in the manner provided
13 under par. (a).

14 (c) A managed care plan under par. (a) shall provide written notice of the
15 requirement under par. (a) in every policy or group certificate issued by the managed
16 care plan and during each open enrollment period.

17 **SECTION 3036s.** 610.70 (1) (e) of the statutes, as created by 1997 Wisconsin Act
18 231, is amended to read:

19 610.70 (1) (e) "Medical care institution" means a facility, as defined in s. 647.01
20 (4), or any hospital, nursing home, community-based residential facility, county
21 home, county infirmary, county hospital, county mental health center, tuberculosis
22 sanatorium, adult family home, assisted living facility, rural medical center, hospice
23 or other place licensed, certified or approved by the department of health and family
24 services under s. 49.70, 49.71, 49.72, 50.02, 50.03, 50.032, 50.033, 50.034, 50.35,
25 50.52, 50.90, 51.04, 51.08, or 51.09, ~~58.06, 252.073 or 252.076~~ or a facility under s.

1 45.365, 51.05, 51.06 or 252.10 or under ch. 233 or licensed or certified by a county
2 department under s. 50.032 or 50.033.

3 **SECTION 3037c.** 628.095 (1) of the statutes is amended to read:

4 628.095 (1) REQUIRED ON APPLICATIONS. An application for a license issued
5 under this subchapter shall contain the applicant's social security number, if the
6 applicant is a natural person unless the applicant does not have a social security
7 number, or the applicant's federal employer identification number, if the applicant
8 is not a natural person.

9 **SECTION 3037d.** 628.095 (2) of the statutes is amended to read:

10 628.095 (2) REFUSAL TO ISSUE LICENSE. The commissioner may not issue a
11 license, including a temporary license, under this subchapter unless the applicant
12 provides his or her social security number, if the applicant is a natural person unless
13 the applicant does not have a social security number, or provides the applicant's
14 federal tax identification number, if the applicant is not a natural person.

15 **SECTION 3037e.** 628.095 (3) of the statutes is amended to read:

16 628.095 (3) REQUIRED WHEN ANNUAL FEE PAID. At the time that the annual fee
17 is paid under s. 601.31 (1) (m), an intermediary who is a natural person shall provide
18 his or her social security number unless the intermediary does not have a social
19 security number, and an intermediary that is not a natural person shall provide its
20 federal employer identification number, if the social security number or federal
21 employer identification number was not provided on the application for the license
22 or previously when the annual fee was paid.

23 **SECTION 3037g.** 628.095 (5) of the statutes is created to read:

24 628.095 (5) IF APPLICANT OR INTERMEDIARY HAS NO SOCIAL SECURITY NUMBER. If an
25 applicant who is a natural person does not have a social security number, the

1 applicant shall provide to the commissioner, along with the application for a license
2 and on a form prescribed by the department of workforce development, a statement
3 made or subscribed under oath or affirmation that the applicant does not have a
4 social security number. If an intermediary who is a natural person does not have a
5 social security number, the intermediary shall provide to the commissioner, each
6 time that the annual fee is paid under s. 601.31 (1) (m) and on a form prescribed by
7 the department of workforce development, a statement made or subscribed under
8 oath or affirmation that the applicant does not have a social security number.

9 **SECTION 3037j.** 628.10 (2) (cr) of the statutes is created to read:

10 628.10 (2) (cr) *For providing false information in statement.* The commissioner
11 shall revoke the license of an intermediary, including a temporary license under s.
12 628.09, if the commissioner determines, after a hearing, that the intermediary
13 provided false information in a statement provided under s. 628.095 (5) with the
14 intermediary's application or at the time that the annual fee was paid under s. 601.31
15 (1) (m).

16 **SECTION 3037k.** 628.10 (2) (d) of the statutes is amended to read:

17 628.10 (2) (d) *For failure to provide social security ~~or~~ number, federal employer*
18 *identification number or statement.* If an intermediary fails to provide a social
19 security number or federal employer identification number as required under s.
20 628.095 (3) or a statement as required under s. 628.095 (5), the commissioner shall
21 suspend or limit the license of the intermediary, effective the day following the last
22 day on which the annual fee under s. 601.31 (1) (m) may be paid, if the commissioner
23 has given the intermediary reasonable notice of when the fee must be paid to avoid
24 suspension or limitation. If the intermediary provides the social security number ~~or~~
25 federal employer identification number or statement within 60 days from the

1 effective date of the suspension, the commissioner shall reinstate the intermediary's
2 license effective as of the date of suspension.

3 **SECTION 3038.** 631.20 (1) of the statutes is renumbered 631.20 (1) (a) and
4 amended to read:

5 631.20 (1) (a) No form subject to s. 631.01 (1), except as exempted under s.
6 631.01 (2) to (5) or by rule under par. (b), may be used unless it has been filed with
7 and approved by the commissioner and unless the insurer certifies that the form
8 complies with chs. 600 to 655 and rules promulgated under chs. 600 to 655. It is
9 deemed approved if it is not disapproved within 30 days after filing, or within a
10 30-day extension of that period ordered by the commissioner prior to the expiration
11 of the first 30 days.

12 **SECTION 3039.** 631.20 (1) (b) of the statutes is created to read:

13 631.20 (1) (b) Subject to s. 655.24 (1), the commissioner may by rule exempt
14 certain classes of policy forms from prior filing and approval.

15 **SECTION 3040.** 631.20 (3) of the statutes is amended to read:

16 631.20 (3) **SUBSEQUENT DISAPPROVAL.** Whenever the commissioner finds, after
17 a hearing, that a form approved or deemed to be approved under sub. (1) (a) would
18 be disapproved under sub. (2) if newly filed, the commissioner may order that on or
19 before a date not less than 30 nor more than 90 days after the order the use of the
20 form shall be discontinued or appropriate changes shall be made.

21 **SECTION 3041.** 631.20 (6) (a) of the statutes is amended to read:

22 631.20 (6) (a) The penalties under s. 601.64 (3) to (5) may not be imposed
23 against an insurer for using a form that does not comply with a statute or rule if the
24 statute or rule was in effect on the date the form was approved or deemed to be
25 approved under sub. (1) (a).

1 **SECTION 3042.** 631.20 (6) (b) of the statutes is amended to read:

2 631.20 **(6)** (b) Use of a form that does not comply with a statute or rule which
3 takes effect after the date the form was approved or deemed to be approved under
4 sub. (1) (a) is a violation of the statute or rule, and the penalties under s. 601.64 may
5 be imposed against the insurer using the form.

6 **SECTION 3043.** 631.36 (1) (a) of the statutes is amended to read:

7 631.36 **(1)** (a) *General.* Except as otherwise provided in this section or in other
8 statutes or by rule under par. (c), this section applies to all contracts of insurance
9 based on forms which are subject to filing and approval under s. 631.20 (1) (a).

10 **SECTION 3043c.** 632.68 (2) (b) (intro.) of the statutes is amended to read:

11 632.68 **(2)** (b) (intro.) A person may apply to the commissioner for a viatical
12 settlement provider license on a form prescribed by the commissioner for that
13 purpose. The application form shall require the applicant to provide the applicant's
14 social security number, if the applicant is a natural person unless the applicant does
15 not have a social security number, or the applicant's federal employer identification
16 number, if the applicant is not a natural person. The fee specified in s. 601.31 (1)
17 (mm) shall accompany the application. After any investigation of the applicant that
18 the commissioner determines is sufficient, the commissioner shall issue a viatical
19 settlement provider license to an applicant that satisfies all of the following:

20 **SECTION 3043d.** 632.68 (2) (b) 2. of the statutes is amended to read:

21 632.68 **(2)** (b) 2. Provides complete information on the application, including
22 the applicant's social security number, unless the applicant does not have a social
23 security number, or federal employer identification number.

24 **SECTION 3043e.** 632.68 (2) (b) 3m. of the statutes is created to read:

1 632.68 (2) (b) 3m. If a natural person who does not have a social security
2 number, provides on a form prescribed by the department of workforce development
3 a statement made or subscribed under oath or affirmation that the applicant does
4 not have a social security number.

5 **SECTION 3043f.** 632.68 (2) (e) of the statutes is amended to read:

6 632.68 (2) (e) Except as provided in sub. (3), a license issued under this
7 subsection shall be renewed annually on the anniversary date upon payment of the
8 fee specified in s. 601.31 (1) (mp) and upon providing the licensee's social security
9 number, unless the licensee does not have a social security number, or federal
10 employer identification number, as applicable, if not previously provided on the
11 application for the license or at a previous renewal of the license. If the licensee is
12 a natural person who does not have a social security number, the license shall be
13 renewed annually on the anniversary date upon payment of the fee specified in s.
14 601.31 (1) (mp) and upon providing to the commissioner a statement made or
15 subscribed under oath or affirmation, on a form prescribed by the department of
16 workforce development, that the licensee does not have a social security number.

17 **SECTION 3043g.** 632.68 (3) (b) 3. of the statutes is created to read:

18 632.68 (3) (b) 3. The commissioner shall revoke a viatical settlement provider
19 license if the commissioner determines, after a hearing, that the licensee provided
20 false information in a statement provided under sub. (2) (b) 3m. or (e).

21 **SECTION 3043h.** 632.68 (4) (b) of the statutes is amended to read:

22 632.68 (4) (b) A person may apply to the commissioner for a viatical settlement
23 broker license on a form prescribed by the commissioner for that purpose. The
24 application form shall require the applicant to provide the applicant's social security
25 number, if the applicant is a natural person unless the applicant does not have a

1 social security number, or the applicant's federal employer identification number, if
2 the applicant is not a natural person. The fee specified in s. 601.31 (1) (mr) shall
3 accompany the application. The commissioner may not issue a license under this
4 subsection unless the applicant provides his or her social security number, unless the
5 applicant does not have a social security number, or its federal employer
6 identification number, whichever is applicable. If the applicant is a natural person
7 who does not have a social security number, the commissioner may not issue a license
8 under this subsection unless the applicant provides, on a form prescribed by the
9 department of workforce development, a statement made or subscribed under oath
10 or affirmation that the applicant does not have a social security number.

11 **SECTION 3043i.** 632.68 (4) (c) of the statutes is amended to read:

12 632.68 (4) (c) Except as provided in sub. (5), a license issued under this
13 subsection shall be renewed annually on the anniversary date upon payment of the
14 fee specified in s. 601.31 (1) (ms) and upon providing the licensee's social security
15 number, unless the licensee does not have a social security number, or federal
16 employer identification number, as applicable, if not previously provided on the
17 application for the license or at a previous renewal of the license. If the licensee is
18 a natural person who does not have a social security number, the license shall be
19 renewed annually, except as provided in sub. (5), on the anniversary date upon
20 payment of the fee specified in s. 601.31 (1) (ms) and upon providing to the
21 commissioner a statement made or subscribed under oath or affirmation, on a form
22 prescribed by the department of workforce development, that the licensee does not
23 have a social security number.

24 **SECTION 3043j.** 632.68 (5) (b) 3. of the statutes is created to read:

1 632.68 (5) (b) 3. The commissioner shall revoke a viatical settlement broker
2 license if the commissioner determines, after a hearing, that the licensee provided
3 false information in a statement submitted under sub. (4) (b) or (c).

4 **SECTION 3044.** 632.745 (6) (a) 2m. of the statutes is created to read:

5 632.745 (6) (a) 2m. A family care district under s. 46.2895.

6 **SECTION 3044b.** 632.89 (2) (a) 2. of the statutes is amended to read:

7 632.89 (2) (a) 2. Except as provided in pars. (b) to (e), coverage of conditions
8 under subd. 1. by a policy may be subject to exclusions or limitations, including
9 deductibles and copayments, that are generally applicable to other conditions
10 covered under the policy.

11 **SECTION 3044c.** 632.89 (2) (b) 1. of the statutes is amended to read:

12 632.89 (2) (b) 1. Except as provided in subd. 2., if a group or blanket disability
13 insurance policy issued by an insurer provides coverage of inpatient hospital
14 treatment or outpatient treatment or both, the policy shall provide coverage in every
15 policy year as provided in pars. (c) to (dm), as appropriate, except that the total
16 coverage under the policy for a policy year need not exceed \$7,000 or, ~~if the coverage~~
17 ~~is provided by a health maintenance organization, as defined in s. 609.01 (2),~~ the
18 equivalent benefits measured in services rendered.

19 **SECTION 3044e.** 632.89 (2) (c) 2. b. of the statutes is amended to read:

20 632.89 (2) (c) 2. b. Seven thousand dollars minus a copayment of up to 10% any
21 applicable cost sharing at the level charged under the policy for inpatient hospital
22 services ~~or, if the coverage is provided by a health maintenance organization, as~~
23 ~~defined in s. 609.01 (2),~~ \$6,300 or the equivalent benefits measured in services
24 rendered or, if the policy does not use cost sharing, \$6,300 in equivalent benefits
25 measured in services rendered.

1 **SECTION 3044ht.** 632.89 (2) (d) 2. of the statutes is amended to read:

2 632.89 **(2)** (d) 2. Except as provided in par. (b), a policy under subd. 1. shall
3 provide coverage in every policy year for not less than \$2,000 minus a copayment of
4 ~~up to 10%~~ any applicable cost sharing at the level charged under the policy for
5 outpatient services ~~or, if the coverage is provided by a health maintenance~~
6 ~~organization, as defined in s. 609.01 (2), \$1,800~~ or the equivalent benefits measured
7 in services rendered ~~or, if the policy does not use cost sharing, \$1,800 in equivalent~~
8 benefits measured in services rendered.

9 **SECTION 3044i.** 632.89 (2) (dm) 2. of the statutes is amended to read:

10 632.89 **(2)** (dm) 2. Except as provided in par. (b), a policy under subd. 1. shall
11 provide coverage in every policy year for not less than \$3,000 minus a copayment of
12 ~~up to 10%~~ any applicable cost sharing at the level charged under the policy for
13 transitional treatment arrangements ~~or, if the coverage is provided by a health~~
14 ~~maintenance organization, as defined in s. 609.01 (2), \$2,700~~ or the equivalent
15 benefits measured in services rendered ~~or, if the policy does not use cost sharing,~~
16 \$2,700 in equivalent benefits measured in services rendered.

17 **SECTION 3044j.** 632.896 (1) (c) 1. of the statutes is amended to read:

18 632.896 **(1)** (c) 1. The department, a county department under s. 48.57 (1) (e)
19 or (hm) or a child welfare agency licensed under s. 48.60 places a child in the insured's
20 home for adoption and enters into an agreement under s. 48.833 (4) with the insured.

21 **SECTION 3044L.** 632.897 (10) (a) 3. of the statutes is amended to read:

22 632.897 **(10)** (a) 3. The fact that the group member or insured does not claim
23 the child as an exemption for federal income tax purposes under 26 USC 151 (c) (1)
24 (B), or as an exemption for state income tax purposes under s. 71.07 (8) (b) or under
25 the laws of another state, if a court order under s. 767.25 (4m), ~~767.51 (3m) or 767.62~~

1 (4)(b) or the laws of another state assigns responsibility for the child's health care
2 expenses to the group member or insured.

3 **SECTION 3044Lj.** 633.14 (1) (d) of the statutes is amended to read:

4 633.14 (1) (d) Provides his or her social security number, unless the individual
5 does not have a social security number.

6 **SECTION 3044Lk.** 633.14 (1) (e) of the statutes is created to read:

7 633.14 (1) (e) If an individual who does not have a social security number,
8 provides on a form prescribed by the department of workforce development a
9 statement made or subscribed under oath or affirmation that he or she does not have
10 a social security number.

11 **SECTION 3044LL.** 633.15 (1m) of the statutes is amended to read:

12 633.15 (1m) SOCIAL SECURITY OR NUMBER, FEDERAL EMPLOYER IDENTIFICATION
13 NUMBER OR STATEMENT. At an annual renewal, an administrator shall provide his or
14 her social security number, if the administrator is an individual unless he or she does
15 not have a social security number, or its federal employer identification number, if
16 the administrator is a corporation, limited liability company or partnership, if the
17 social security number or federal employer identification number was not previously
18 provided on the application for the license or at a previous renewal of the license. If
19 an administrator who is an individual does not have a social security number, the
20 individual shall provide to the commissioner, at each annual renewal and on a form
21 prescribed by the department of workforce development, a statement made or
22 subscribed under oath or affirmation that the administrator does not have a social
23 security number.

24 **SECTION 3044m.** 633.15 (2) (a) 1. of the statutes is amended to read:

1 633.15 (2) (a) 1. If an administrator fails to pay the annual renewal fee as
2 provided under sub. (1) or fails to provide a social security number ~~or~~, federal
3 employer identification number or statement made or subscribed under oath or
4 affirmation as required under sub. (1m), the commissioner shall suspend the
5 administrator's license effective the day following the last day when the annual
6 renewal fee may be paid, if the commissioner has given the administrator reasonable
7 notice of when the fee must be paid to avoid suspension.

8 **SECTION 3044n.** 633.15 (2) (a) 2. of the statutes is amended to read:

9 633.15 (2) (a) 2. If, within 60 days from the effective date of suspension under
10 subd. 1., an administrator pays the annual renewal fee or provides the social security
11 number ~~or~~, federal employer identification number or statement made or subscribed
12 under oath or affirmation, or both if the suspension was based upon a failure to do
13 both, the commissioner shall reinstate the administrator's license effective as of the
14 date of suspension.

15 **SECTION 3044no.** 633.15 (2) (a) 3. of the statutes is amended to read:

16 633.15 (2) (a) 3. If payment is not made or the social security number ~~or~~, federal
17 employer identification number or statement made or subscribed under oath or
18 affirmation is not provided within 60 days from the effective date of suspension
19 under subd. 1., the commissioner shall revoke the administrator's license.

20 **SECTION 3044p.** 633.15 (2) (b) 1. (intro.) of the statutes is amended to read:

21 633.15 (2) (b) 1. (intro.) Except as provided in pars. (c) ~~and (d)~~ to (e), the
22 commissioner may revoke, suspend or limit the license of an administrator after a
23 hearing if the commissioner makes any of the following findings:

24 **SECTION 3044q.** 633.15 (2) (e) of the statutes is created to read:

1 633.15 (2) (e) *For providing false information in statement.* The commissioner
2 shall revoke a license issued under s. 633.14 (1) if the commissioner determines, after
3 a hearing, that the licensee provided false information in a statement provided under
4 sub. (1m) or s. 633.14 (1) (e).

5 **SECTION 3045.** 655.24 (1) of the statutes is amended to read:

6 655.24 (1) No insurer may enter into or issue any policy of health care liability
7 insurance until its policy form has been submitted to and approved by the
8 commissioner under s. 631.20 (1) (a). The filing of a policy form by any insurer with
9 the commissioner for approval shall constitute, on the part of the insurer, a
10 conclusive and unqualified acceptance of all provisions of this chapter, and an
11 agreement by it to be bound hereby as to any policy issued by it to any health care
12 provider.

13 **SECTION 3046.** 655.275 (10) of the statutes is amended to read:

14 655.275 (10) MEMBERS' AND CONSULTANTS' EXPENSES. Any Notwithstanding s.
15 15.09 (6), any person serving on the council and any person consulting with the
16 council under sub. (5) (b) shall be paid \$50 for each day's actual attendance at council
17 meetings, plus actual and necessary travel expenses at a rate established by the
18 commissioner by rule.

19 **SECTION 3047.** 700.24 of the statutes is amended to read:

20 **700.24 Death of a joint tenant; effect of liens.** A real estate mortgage, a
21 security interest under ch. 409, or a lien under s. 72.86 (2), 1985 stats., or s. 71.91 (5)
22 (b), ch. 49 or 779 or rules promulgated under s. 46.286 (7) on or against the interest
23 of a joint tenant does not defeat the right of survivorship in the event of the death
24 of such joint tenant, but the surviving joint tenant or tenants take the interest such

1 deceased joint tenant could have transferred prior to death subject to such mortgage,
2 security interest or statutory lien.

3 **SECTION 3048.** 701.065 (1) (b) 1. of the statutes is amended to read:

4 701.065 (1) (b) 1. The claim is a claim based on tort, on a marital property
5 agreement that is subject to the time limitations under s. 766.58 (13) (b) or (c), on
6 Wisconsin income, franchise, sales, withholding, gift or death taxes, or on
7 unemployment compensation contributions due or benefits overpaid; a claim for
8 funeral or administrative expenses; a claim of this state under s. 46.27 (7g), 49.496
9 or 49.682 or rules promulgated under s. 46.286 (7); or a claim of the United States.

10 **SECTION 3049.** 705.04 (2g) of the statutes is amended to read:

11 705.04 (2g) Notwithstanding subs. (1) and (2), the department of health and
12 family services may collect, from funds of a decedent that are held by the decedent
13 immediately before death in a joint account or a P.O.D. account, an amount equal to
14 the medical assistance that is recoverable under s. 49.496 (3) (a), an amount equal
15 to aid under 49.68, 49.683 or 49.685 that is recoverable under s. 49.682 (2) (a) or, an
16 amount equal to long-term community support services under s. 46.27 that is
17 recoverable under s. 46.27 (7g) (c) 1. and that was paid on behalf of the decedent or
18 the decedent's spouse or an amount equal to the family care benefit under s. 46.286
19 that is recoverable under rules promulgated under s. 46.286 (7) and that was paid
20 on behalf of the decedent or the decedent's spouse.

21 **SECTION 3049sm.** 707.46 (3) of the statutes is created to read:

22 707.46 (3) RECORDING. A contract for the purchase of a time-share and any
23 other instrument that is evidence of a purchase of a time-share is valid only if it is
24 recorded.

25 **SECTION 3049p.** 751.15 (2) of the statutes is amended to read:

1 751.15 (2) The supreme court is requested to promulgate rules that require
2 each person who has a social security number, as a condition of membership in the
3 state bar, to provide the board of bar examiners with his or her social security
4 number, that require each person who does not have a social security number, as a
5 condition of membership in the state bar, to provide the board of bar examiners with
6 a statement made or subscribed under oath or affirmation on a form prescribed by
7 the department of workforce development that the person does not have a social
8 security number, and that prohibit the disclosure of that number to any person
9 except the department of workforce development for the purpose of administering s.
10 49.22.

11 **SECTION 3049r.** 751.15 (3) of the statutes is amended to read:

12 751.15 (3) The supreme court is requested to promulgate rules that deny,
13 suspend, restrict or refuse to renew a license to practice law if the applicant or
14 licensee fails to provide the information required under rules promulgated under
15 sub. (2) or fails to comply, after appropriate notice, with a subpoena or warrant issued
16 by the department of workforce development or a county child support agency under
17 s. 59.53 (5) and related to paternity or child support proceedings or if the department
18 of workforce development certifies that the applicant or licensee has failed to pay
19 court-ordered payments of child or family support, maintenance, birth expenses,
20 medical expenses or other expenses related to the support of a child or former spouse.
21 The supreme court is also requested to promulgate rules that invalidate a license to
22 practice law if issued in reliance upon a statement made or subscribed under oath
23 or affirmation under rules promulgated under sub. (2) that is false.

24 **SECTION 3049m.** 753.06 (8) (g) of the statutes is amended to read:

1 753.06 **(8)** (g) Waupaca County. The circuit has 2 branches. Commencing
2 August 1, 2000, the circuit has 3 branches.

3 **SECTION 3050m.** 757.05 (title) of the statutes is created to read:

4 **757.05** (title) **Penalty assessment.**

5 **SECTION 3050n.** 757.05 (2) (title) of the statutes is created to read:

6 757.05 **(2)** (title) USE OF PENALTY ASSESSMENT MONEYS.

7 **SECTION 3050o.** 757.05 (2) (b) of the statutes is created to read:

8 757.05 **(2)** (b) *Other purposes.* The moneys collected from penalty assessments
9 under sub. (1) that remain after crediting the appropriation account specified in par.
10 (a) shall be credited to the appropriation account under s. 20.505 (6) (j) and
11 transferred as provided under s. 20.505 (6) (j).

12 **SECTION 3050p.** 758.19 (4) of the statutes is amended to read:

13 758.19 **(4)** The director of state courts may develop, promote, coordinate and
14 implement circuit court automated information systems that are compatible among
15 counties using the moneys appropriated under s. 20.680 (2) (j) and (kp). If the
16 director of state courts provides funding to counties as part of the development and
17 implementation of this system, the director of state courts may provide funding to
18 counties with 1 or 2 circuit court judges for a minicomputer system only up to the
19 level of funding that would have been provided had the county implemented a
20 microcomputer system. In those counties with 1 or 2 circuit court judges, any costs
21 incurred to implement a minicomputer system not funded under this subsection
22 shall be paid by the county. Those counties may use that minicomputer system for
23 county management information needs in addition to the circuit court automated
24 information system use.

1 **SECTION 3050q.** 758.19 (4) of the statutes, as affected by 1999 Wisconsin Act
2 (this act), is amended to read:

3 758.19 (4) The director of state courts may develop, promote, coordinate and
4 implement circuit court automated information systems that are compatible among
5 counties using the moneys appropriated under s. 20.680 (2) (j) ~~and (kp)~~. If the
6 director of state courts provides funding to counties as part of the development and
7 implementation of this system, the director of state courts may provide funding to
8 counties with 1 or 2 circuit court judges for a minicomputer system only up to the
9 level of funding that would have been provided had the county implemented a
10 microcomputer system. In those counties with 1 or 2 circuit court judges, any costs
11 incurred to implement a minicomputer system not funded under this subsection
12 shall be paid by the county. Those counties may use that minicomputer system for
13 county management information needs in addition to the circuit court automated
14 information system use.

15 **SECTION 3051m.** 758.19 (5) (b) (intro.) of the statutes is amended to read:

16 758.19 (5) (b) (intro.) From the appropriation under s. 20.625 (1) (d), the
17 director of state courts shall make payments to counties totaling \$3,443,950 ~~on~~
18 ~~July 29, 1995, totaling \$8,294,050 on January 1, 1996, and totaling \$8,244,800~~
19 \$9,369,800 within 30 days after the effective date of this paragraph [revisor
20 inserts date], and on every July 1 and January 1 thereafter, which the director of
21 state courts shall distribute as follows:

22 **SECTION 3051mp.** 758.19 (5) (b) 1. of the statutes is amended to read:

23 758.19 (5) (b) 1. For each circuit court branch in the county, ~~\$32,900~~ \$42,275.

24 **SECTION 3051n.** 767.045 (1) (a) 2. of the statutes is amended to read:

1 767.045 (1) (a) 2. ~~The Except as provided in par. (am)~~, the legal custody or
2 physical placement of the child is contested.

3 **SECTION 3051no.** 767.045 (1) (am) of the statutes is created to read:

4 767.045 (1) (am) The court is not required to appoint a guardian ad litem under
5 par. (a) 2. if all of the following apply:

6 1. Legal custody or physical placement is contested in an action to modify legal
7 custody or physical placement under s. 767.325 or 767.327.

8 2. The modification sought would not substantially alter the amount of time
9 that a parent may spend with his or her child.

10 3. The court determines any of the following:

11 a. That the appointment of a guardian ad litem will not assist the court in the
12 determination regarding legal custody or physical placement because the facts or
13 circumstances of the case make the likely determination clear.

14 b. That a party seeks the appointment of a guardian ad litem solely for a tactical
15 purpose, or for the sole purpose of delay, and not for a purpose that is in the best
16 interest of the child.

17 **SECTION 3051p.** 767.045 (1) (e) of the statutes is created to read:

18 767.045 (1) (e) Nothing in this subsection prohibits the court from making a
19 temporary order under s. 767.23 that concerns the child before a guardian ad litem
20 is appointed or before the guardian ad litem has made a recommendation to the
21 court, if the court determines that the temporary order is in the best interest of the
22 child.

23 **SECTION 3051q.** 767.045 (4m) of the statutes is created to read:

24 767.045 (4m) STATUS HEARING. (a) Subject to par. (b), at any time after 120 days
25 after a guardian ad litem is appointed under this section, a party may request that

1 the court schedule a status hearing related to the actions taken and work performed
2 by the guardian ad litem in the matter.

3 (b) A party may, not sooner than 120 days after a status hearing under this
4 subsection is held, request that the court schedule another status hearing on the
5 actions taken and work performed by the guardian ad litem in the matter.

6 **SECTION 3051r.** 767.078 (1) (a) 1. of the statutes is amended to read:

7 767.078 (1) (a) 1. Is an action for modification of a child support order under
8 s. 767.32 or an action in which an order for child support is required under s. 767.25
9 (1), 767.51 (3) or 767.62 (4) (a).

10 **SECTION 3052.** 767.078 (1) (b) (intro.) of the statutes is amended to read:

11 767.078 (1) (b) (intro.) Except as provided in par. (c) ~~or (d)~~, in a case involving
12 a dependent child, if the child's parent who is absent from the home is not employed,
13 the court shall order that parent to do one or more of the following:

14 **SECTION 3053.** 767.078 (1) (c) of the statutes is amended to read:

15 767.078 (1) (c) An order is not required under par. (b) ~~or (d)~~ if the court makes
16 written findings that there is good cause for not issuing the order.

17 **SECTION 3054.** 767.078 (1) (d) of the statutes is repealed.

18 **SECTION 3054c.** 767.078 (2) of the statutes is amended to read:

19 767.078 (2) Subsection (1) does not limit the authority of a court to issue an
20 order, other than an order under sub. (1), regarding employment of a parent in an
21 action for modification of a child support order under s. 767.32 or an action in which
22 an order for child support is required under s. 767.25 (1), 767.51 (3) or 767.62 (4) (a).

23 **SECTION 3054cd.** 767.11 (12) (b) of the statutes is amended to read:

24 767.11 (12) (b) If after mediation under this section the parties do not reach
25 agreement on legal custody or periods of physical placement, the parties or the

1 mediator shall so notify the court. ~~The Except as provided in s. 767.045 (1) (am), the~~
2 ~~court shall promptly appoint a guardian ad litem under s. 767.045. After the~~
3 ~~appointment Regardless of whether the court appoints a guardian ad litem, the court~~
4 shall, if appropriate, refer the matter for a legal custody or physical placement study
5 under sub. (14). If the parties come to agreement on legal custody or physical
6 placement after the matter has been referred for a study, the study shall be
7 terminated. The parties may return to mediation at any time before any trial of or
8 final hearing on legal custody or periods of physical placement. If the parties return
9 to mediation, the county shall collect any applicable fee under s. 814.615.

10 **SECTION 3054ce.** 767.115 (title) of the statutes is amended to read:

11 **767.115 (title) Educational program in action programs and classes in**
12 **actions affecting the family.**

13 **SECTION 3054cf.** 767.115 (4) of the statutes is created to read:

14 767.115 (4) (a) At any time during the pendency of a divorce or paternity action,
15 the court or family court commissioner may order the parties to attend a class that
16 is approved by the court or family court commissioner and that addresses such issues
17 as child development, family dynamics, how parental separation affects a child's
18 development and what parents can do to make raising a child in a separated
19 situation less stressful for the child.

20 (b) The court or family court commissioner may not require the parties to
21 attend a class under this subsection as a condition to the granting of the final
22 judgment or order in the divorce or paternity action, however, the court or family
23 court commissioner may refuse to hear a custody or physical placement motion of a
24 party who refuses to attend a class ordered under this subsection.

1 (c) 1. Except as provided in subd. 2., the parties shall be responsible for any cost
2 of attending the class.

3 2. If the court or family court commissioner finds that a party is indigent, any
4 costs that would be the responsibility of that party shall be paid by the county.

5 **SECTION 3054cg.** 767.23 (1) (a) of the statutes is amended to read:

6 767.23 (1) (a) ~~Upon~~ Subject to s. 767.477, upon request of one party, granting
7 legal custody of the minor children to the parties jointly, to one party solely or to a
8 relative or agency specified under s. 767.24 (3). ~~The, in a manner consistent with s.~~
9 767.24, except that the court or family court commissioner may order ~~joint~~ sole legal
10 custody without the agreement of the other party and without the findings required
11 under s. 767.24 (2) (b) 2. This order may not have a binding effect on a final custody
12 determination.

13 **SECTION 3054ch.** 767.23 (1) (am) of the statutes is amended to read:

14 767.23 (1) (am) ~~Upon~~ Subject to s. 767.477, upon the request of a party,
15 granting periods of physical placement to a party in a manner consistent with s.
16 767.24. The court or family court commissioner shall make a determination under
17 this paragraph within 30 days after the request for a temporary order regarding
18 periods of physical placement is filed.

19 **SECTION 3054ci.** 767.23 (1) (c) of the statutes is amended to read:

20 767.23 (1) (c) ~~Requiring~~ Subject to s. 767.477, requiring either party or both
21 parties to make payments for the support of minor children, which payment amounts
22 may be expressed as a percentage of parental income or as a fixed sum, or as a
23 combination of both in the alternative by requiring payment of the greater or lesser
24 of either a percentage of parental income or a fixed sum.

25 **SECTION 3054cj.** 767.23 (1) (k) of the statutes is amended to read:

1 767.23 (1) (k) ~~Requiring~~ Subject to s. 767.477, requiring either party or both
2 parties to maintain minor children as beneficiaries on a health insurance policy or
3 plan.

4 **SECTION 3054ck.** 767.23 (1n) of the statutes is amended to read:

5 767.23 (1n) Before making any temporary order under sub. (1), the court or
6 family court commissioner shall consider those factors ~~which~~ that the court is
7 required by this chapter to consider before entering a final judgment on the same
8 subject matter. In making a determination under sub. (1) (a) or (am), the court or
9 family court commissioner shall consider the factors under s. 767.24 (5). If the court
10 or family court commissioner makes a temporary child support order that deviates
11 from the amount of support that would be required by using the percentage standard
12 established by the department under s. 49.22 (9), the court or family court
13 commissioner shall comply with the requirements of s. 767.25 (1n). A temporary
14 order under sub. (1) may be based upon the written stipulation of the parties, subject
15 to the approval of the court or the family court commissioner. Temporary orders
16 made by the family court commissioner may be reviewed by the court as provided in
17 s. 767.13 (6).

18 **SECTION 3054cL.** 767.24 (1) of the statutes is amended to read:

19 767.24 (1) GENERAL PROVISIONS. In rendering a judgment of annulment, divorce
20 ~~or~~ legal separation or paternity, or in rendering a judgment in an action under s.
21 767.02 (1) (e) or 767.62 (3), the court shall make such provisions as it deems just and
22 reasonable concerning the legal custody and physical placement of any minor child
23 of the parties, as provided in this section.

24 **SECTION 3054cm.** 767.24 (1m) of the statutes is created to read:

1 767.24 **(1m)** PARENTING PLAN. In an action for annulment, divorce or legal
2 separation, an action to determine paternity or an action under s. 767.02 (1) (e) or
3 767.62 (3) in which legal custody or physical placement is contested, a party seeking
4 sole or joint legal custody or periods of physical placement shall file a parenting plan
5 with the court before any pretrial conference. Except for cause shown, a party
6 required to file a parenting plan under this subsection who does not timely file a
7 parenting plan waives the right to object to the other party's parenting plan. A
8 parenting plan shall provide information about the following questions:

9 (a) What legal custody or physical placement the parent is seeking.

10 (b) Where the parent lives currently and where the parent intends to live
11 during the next 2 years. If there is evidence that the other parent engaged in
12 interspousal battery, as described under s. 940.19 or 940.20 (1m), or domestic abuse,
13 as defined in s. 813.12 (1) (a), with respect to the parent providing the parenting plan,
14 the parent providing the parenting plan is not required to disclose the specific
15 address but only a general description of where he or she currently lives and intends
16 to live during the next 2 years.

17 (c) Where the parent works and the hours of employment. If there is evidence
18 that the other parent engaged in interspousal battery, as described under s. 940.19
19 or 940.20 (1m), or domestic abuse, as defined in s. 813.12 (1) (a), with respect to the
20 parent providing the parenting plan, the parent providing the parenting plan is not
21 required to disclose the specific address but only a general description of where he
22 or she works.

23 (d) Who will provide any necessary child care when the parent cannot and who
24 will pay for the child care.

25 (e) Where the child will go to school.

1 (f) What doctor or health care facility will provide medical care for the child.

2 (g) How the child's medical expenses will be paid.

3 (h) What the child's religious commitment will be, if any.

4 (i) Who will make decisions about the child's education, medical care, choice of
5 child care providers and extracurricular activities.

6 (j) How the holidays will be divided.

7 (k) What the child's summer schedule will be.

8 (L) Whether and how the child will be able to contact the other parent when
9 the child has physical placement with the parent providing the parenting plan.

10 (m) How the parent proposes to resolve disagreements related to matters over
11 which the court orders joint decision making.

12 (n) What child support, family support, maintenance or other income transfer
13 there will be.

14 (o) If there is evidence that either party engaged in interspousal battery, as
15 described under s. 940.19 or 940.20 (1m), or domestic abuse, as defined in s. 813.12
16 (1) (a), with respect to the other party, how the child will be transferred between the
17 parties for the exercise of physical placement to ensure the safety of the child and the
18 parties.

19 **SECTION 3054cn.** 767.24 (2) (a) of the statutes is amended to read:

20 767.24 (2) (a) Subject to ~~par. (b)~~ pars. (am), (b) and (c), based on the best interest
21 of the child and after considering the factors under sub. (5), the court may give joint
22 legal custody or sole legal custody of a minor child.

23 **SECTION 3054co.** 767.24 (2) (am) of the statutes is created to read:

24 767.24 (2) (am) The court shall presume that joint legal custody is in the best
25 interest of the child.

1 **SECTION 3054cp.** 767.24 (2) (b) of the statutes is amended to read:

2 767.24 **(2)** (b) The court may give ~~joint~~ sole legal custody only if it finds that
3 doing so is in the child's best interest and that either of the following applies:

4 1. Both parties agree to ~~joint~~ sole legal custody with the same party.

5 2. The parties do not agree to ~~joint~~ sole legal custody with the same party, but
6 at least one party requests ~~joint~~ sole legal custody and the court specifically finds all
7 any of the following:

8 a. ~~Both parties are~~ One party is not capable of performing parental duties and
9 responsibilities ~~and~~ or does not wish to have an active role in raising the child.

10 b. ~~No~~ One or more conditions exist at that time ~~which~~ that would substantially
11 interfere with the exercise of joint legal custody.

12 c. The parties will not be able to cooperate in the future decision making
13 required under an award of joint legal custody. In making this finding the court shall
14 consider, along with any other pertinent items, any reasons offered by a party
15 objecting to joint legal custody. Evidence that either party engaged in abuse, as
16 defined in s. 813.122 (1) (a), of the child, as defined in s. 48.02 (2), or evidence of
17 interspousal battery, as described under s. 940.19 or 940.20 (1m), or domestic abuse,
18 as defined in s. 813.12 (1) (a), creates a rebuttable presumption that the parties will
19 not be able to cooperate in the future decision making required. ~~This presumption~~
20 ~~may be rebutted by clear and convincing evidence that the abuse will not interfere~~
21 ~~with the parties' ability to cooperate in the future decision making required.~~

22 **SECTION 3054cq.** 767.24 (2) (c) of the statutes is created to read:

23 767.24 **(2)** (c) The court may not give sole legal custody to a parent who refuses
24 to cooperate with the other parent if the court finds that the refusal to cooperate is
25 unreasonable.

1 **SECTION 3054cr.** 767.24 (4) (a) of the statutes is renumbered 767.24 (4) (a) 1.
2 and amended to read:

3 767.24 **(4)** (a) 1. Except as provided under par. (b), if the court orders sole or
4 joint legal custody under sub. (2), the court shall allocate periods of physical
5 placement between the parties in accordance with this subsection.

6 2. In determining the allocation of periods of physical placement, the court
7 shall consider each case on the basis of the factors in sub. (5). The court shall set a
8 placement schedule that allows the child to have regularly occurring, meaningful
9 periods of physical placement with each parent and that maximizes the amount of
10 time the child may spend with each parent, taking into account geographic
11 separation and accommodations for different households.

12 **SECTION 3054cs.** 767.24 (4) (a) 3. of the statutes is created to read:

13 767.24 **(4)** (a) 3. Notwithstanding subd. 2. and sub. (5), the court shall presume
14 that any proposal submitted to the court with respect to periods of physical
15 placement that has been voluntarily agreed to by the parties is in the child's best
16 interest.

17 **SECTION 3054ct.** 767.24 (4) (c) of the statutes is amended to read:

18 767.24 **(4)** (c) No court may deny periods of physical placement for failure to
19 meet, or grant periods of physical placement for meeting, any financial obligation to
20 the child or, if the parties were married, to the former spouse.

21 **SECTION 3054cu.** 767.24 (5) (intro.) of the statutes is amended to read:

22 767.24 **(5)** FACTORS IN CUSTODY AND PHYSICAL PLACEMENT DETERMINATIONS.
23 (intro.) In determining legal custody and periods of physical placement, the court
24 shall consider all facts relevant to the best interest of the child. The court may not
25 prefer one parent or potential custodian over the other on the basis of the sex or race

1 of the parent or potential custodian. ~~The court shall consider reports of appropriate~~
2 ~~professionals if admitted into evidence when legal custody or physical placement is~~
3 ~~contested.~~ The court shall consider the following factors in making its
4 determination:

5 **SECTION 3054cv.** 767.24 (5) (a) of the statutes is amended to read:

6 767.24 (5) (a) The wishes of the child's parent or parents, as shown by any
7 stipulation between the parties, any proposed parenting plan or any legal custody
8 or physical placement proposal submitted to the court at trial.

9 **SECTION 3054cw.** 767.24 (5) (bm) of the statutes is created to read:

10 767.24 (5) (bm) The right of the child to spend the same amount of time or
11 substantial periods of time with each parent.

12 **SECTION 3054cx.** 767.24 (5) (cm) of the statutes is created to read:

13 767.24 (5) (cm) The amount and quality of time that each parent has spent with
14 the child in the past, any necessary changes to the parents' custodial roles and any
15 reasonable life-style changes that a parent proposes to make to be able to spend time
16 with the child in the future.

17 **SECTION 3054cy.** 767.24 (5) (dm) of the statutes is created to read:

18 767.24 (5) (dm) The age of the child and the child's developmental and
19 educational needs at different ages.

20 **SECTION 3054cz.** 767.24 (5) (em) of the statutes is created to read:

21 767.24 (5) (em) The need for regularly occurring and meaningful periods of
22 physical placement to provide predictability and stability for the child.

23 **SECTION 3054d.** 767.24 (5) (fm) of the statutes is created to read:

1 767.24 (5) (fm) The cooperation and communication between the parties and
2 whether either party unreasonably refuses to cooperate or communicate with the
3 other party.

4 **SECTION 3054dc.** 767.24 (5) (g) of the statutes is amended to read:

5 767.24 (5) (g) Whether each party can support the other party's relationship
6 with the child, including encouraging and facilitating frequent and continuing
7 contact with the child, or whether one party is likely to unreasonably interfere with
8 the child's continuing relationship with the other party.

9 **SECTION 3054dd.** 767.24 (5) (jm) of the statutes is created to read:

10 767.24 (5) (jm) The reports of appropriate professionals if admitted into
11 evidence.

12 **SECTION 3054de.** 767.242 of the statutes is created to read:

13 **767.242 Enforcement of physical placement orders. (1) DEFINITIONS.** In
14 this section:

15 (a) "Petitioner" means the parent filing a petition under this section, regardless
16 of whether that parent was the petitioner in the action in which periods of physical
17 placement were awarded under s. 767.24.

18 (b) "Respondent" means the parent upon whom a petition under this section is
19 served, regardless of whether that parent was the respondent in the action in which
20 periods of physical placement were awarded under s. 767.24.

21 **(2) WHO MAY FILE.** A parent who has been awarded periods of physical
22 placement under s. 767.24 may file a petition under sub. (3) if any of the following
23 applies:

24 (a) The parent has had one or more periods of physical placement denied by the
25 other parent.

1 (b) The parent has had one or more periods of physical placement substantially
2 interfered with by the other parent.

3 (c) The parent has incurred a financial loss or expenses as a result of the other
4 parent's intentional failure to exercise one or more periods of physical placement
5 under an order allocating specific times for the exercise of periods of physical
6 placement.

7 **(3) PETITION.** (a) The petition shall allege facts sufficient to show the following:

8 1. The name of the petitioner and that the petitioner has been awarded periods
9 of physical placement.

10 2. The name of the respondent.

11 3. That the criteria in sub. (2) apply.

12 (b) The petition shall request the imposition of a remedy or any combination
13 of remedies under sub. (5) (b) and (c). This paragraph does not prohibit a judge or
14 family court commissioner from imposing a remedy under sub. (5) (b) or (c) if the
15 remedy was not requested in the petition.

16 (c) A judge or family court commissioner shall accept any legible petition for
17 an order under this section.

18 (d) The petition shall be filed under the principal action under which the
19 periods of physical placement were awarded.

20 (e) A petition under this section is a motion for remedial sanction for purposes
21 of s. 785.03 (1) (a).

22 **(4) SERVICE ON RESPONDENT; RESPONSE.** Upon the filing of a petition under sub.
23 (3), the petitioner shall serve a copy of the petition upon the respondent by personal
24 service in the same manner as a summons is served under s. 801.11. The respondent

1 may respond to the petition either in writing before or at the hearing under sub. (5)
2 (a) or orally at that hearing.

3 **(5) HEARING; REMEDIES.** (a) A judge or family court commissioner shall hold a
4 hearing on the petition no later than 30 days after the petition has been served,
5 unless the time is extended by mutual agreement of the parties or upon the motion
6 of a guardian ad litem and the approval of the judge or family court commissioner.
7 The judge or family court commissioner may, on his or her own motion or the motion
8 of any party, order that a guardian ad litem be appointed for the child prior to the
9 hearing.

10 (b) If, at the conclusion of the hearing, the judge or family court commissioner
11 finds that the respondent has intentionally and unreasonably denied the petitioner
12 one or more periods of physical placement or that the respondent has intentionally
13 and unreasonably interfered with one or more of the petitioner's periods of physical
14 placement, the court or family court commissioner:

15 1. Shall do all of the following:

16 a. Issue an order granting additional periods of physical placement to replace
17 those denied or interfered with.

18 b. Award the petitioner a reasonable amount for the cost of maintaining an
19 action under this section and for attorney fees.

20 2. May do one or more of the following:

21 a. If the underlying order or judgment relating to periods of physical placement
22 does not provide for specific times for the exercise of periods of physical placement,
23 issue an order specifying the times for the exercise of periods of physical placement.

24 b. Find the respondent in contempt of court under ch. 785.

1 c. Grant an injunction ordering the respondent to strictly comply with the
2 judgment or order relating to the award of physical placement. In determining
3 whether to issue an injunction, the judge or family court commissioner shall consider
4 whether alternative remedies requested by the petitioner would be as effective in
5 obtaining compliance with the order or judgment relating to physical placement.

6 (c) If, at the conclusion of the hearing, the judge or family court commissioner
7 finds that the petitioner has incurred a financial loss or expenses as a result of the
8 respondent's failure, intentionally and unreasonably and without adequate notice to
9 the petitioner, to exercise one or more periods of physical placement under an order
10 allocating specific times for the exercise of periods of physical placement, the judge
11 or family court commissioner may issue an order requiring the respondent to pay to
12 the petitioner a sum of money sufficient to compensate the petitioner for the financial
13 loss or expenses.

14 (d) Except as provided in par. (b) 1. a. and 2. a., the judge or family court
15 commissioner may not modify an order of legal custody or physical placement in an
16 action under this section.

17 (e) An injunction issued under par. (b) 2. c. is effective according to its terms,
18 for the period of time that the petitioner requests, but not more than 2 years.

19 **(6) ENFORCEMENT ASSISTANCE.** (a) If an injunction is issued under sub. (5) (b)
20 2. c., upon request by the petitioner the judge or family court commissioner shall
21 order the sheriff to assist the petitioner in executing or serving the injunction.

22 (b) Within 24 hours after a request by the petitioner, the clerk of the circuit
23 court shall send a copy of an injunction issued under sub. (5) (b) 2. c. to the sheriff
24 or to any other local law enforcement agency that is the central repository for orders
25 and that has jurisdiction over the respondent's residence. If the respondent does not

1 reside in this state, the clerk shall send a copy of the injunction to the sheriff of the
2 county in which the circuit court is located.

3 (c) The sheriff or other appropriate local law enforcement agency under par. (b)
4 shall make available to other law enforcement agencies, through a verification
5 system, information on the existence and status of any injunction issued under sub.
6 (5) (b) 2. c. The information need not be maintained after the injunction is no longer
7 in effect.

8 (7) ARREST. A law enforcement officer may arrest and take a person into custody
9 if all of the following apply:

10 (a) A petitioner under this section presents the law enforcement officer with a
11 copy of an injunction issued under sub. (5) (b) 2. c. or the law enforcement officer
12 determines that such an injunction exists through communication with appropriate
13 authorities.

14 (b) The law enforcement officer has probable cause to believe that the person
15 has violated the injunction issued under sub. (5) (b) 2. c.

16 (8) PENALTY. Whoever intentionally violates an injunction issued under sub.
17 (5) (b) 2. c. may be fined not more than \$10,000 or imprisoned for not more than 2
18 years or both.

19 **SECTION 3054dem.** 767.245 (1) of the statutes is amended to read:

20 767.245 (1) Except as provided in ~~sub.~~ subs. (1m) and (2m), upon petition by
21 a grandparent, greatgrandparent, stepparent or person who has maintained a
22 relationship similar to a parent-child relationship with the child, the court may
23 grant reasonable visitation rights to that person if the parents have notice of the
24 hearing and if the court determines that visitation is in the best interest of the child.

25 **SECTION 3054dep.** 767.245 (1m) of the statutes is created to read:

1 767.245 **(1m)** (a) Except as provided in par. (b), the court may not grant
2 visitation rights under sub. (1) to a person who has been convicted under s. 940.01
3 of the first-degree intentional homicide, or under s. 940.05 of the 2nd-degree
4 intentional homicide, of a parent of the child, and the conviction has not been
5 reversed, set aside or vacated.

6 (b) Paragraph (a) does not apply if the court determines by clear and convincing
7 evidence that the visitation would be in the best interests of the child. The court shall
8 consider the wishes of the child in making the determination.

9 **SECTION 3054der.** 767.245 (6) of the statutes is created to read:

10 767.245 **(6)** (a) If a person granted visitation rights with a child under this
11 section is convicted under s. 940.01 of the first-degree intentional homicide, or under
12 s. 940.05 of the 2nd-degree intentional homicide, of a parent of the child, and the
13 conviction has not been reversed, set aside or vacated, the court shall modify the
14 visitation order by denying visitation with the child upon petition, motion or order
15 to show cause by a parent or guardian of the child, or upon the court's own motion,
16 and upon notice to the person granted visitation rights.

17 (b) Paragraph (a) does not apply if the court determines by clear and convincing
18 evidence that the visitation would be in the best interests of the child. The court shall
19 consider the wishes of the child in making that determination.

20 **SECTION 3054det.** 767.247 of the statutes is created to read:

21 **767.247 Prohibiting visitation or physical placement if a parent kills**
22 **other parent. (1)** Notwithstanding ss. 767.23 (1) (am), 767.24 (1), (4) and (5),
23 767.51 (3) and 767.62 (4) (a) and except as provided in sub. (2), in an action under this
24 chapter that affects a minor child, a court or family court commissioner may not
25 grant to the child's parent visitation or physical placement rights with the child if the

1 parent has been convicted under s. 940.01 of the first-degree intentional homicide,
2 or under s. 940.05 of the 2nd-degree intentional homicide, of the child's other parent,
3 and the conviction has not been reversed, set aside or vacated.

4 **(2)** Subsection (1) does not apply if the court or family court commissioner
5 determines by clear and convincing evidence that the visitation or periods of physical
6 placement would be in the best interests of the child. The court or family court
7 commissioner shall consider the wishes of the child in making the determination.

8 **SECTION 3054df.** 767.25 (1) (intro.) of the statutes is amended to read:

9 767.25 **(1)** (intro.) Whenever the court approves a stipulation for child support
10 under s. 767.10, enters a judgment of annulment, divorce or legal separation, or
11 enters an order or a judgment in a paternity action or in an action under s. 767.02
12 (1) (f) or (j) ~~or~~ 767.08 or 767.62 (3), the court shall do all of the following:

13 **SECTION 3054dg.** 767.25 (1m) (b) of the statutes is amended to read:

14 767.25 **(1m)** (b) The financial resources of both parents ~~as determined under~~
15 ~~s. 767.255.~~

16 **SECTION 3054dh.** 767.25 (1m) (c) of the statutes is amended to read:

17 767.25 **(1m)** (c) ~~The~~ If the parties were married, the standard of living the child
18 would have enjoyed had the marriage not ended in annulment, divorce or legal
19 separation.

20 **SECTION 3054di.** 767.25 (4m) (b) of the statutes is amended to read:

21 767.25 **(4m)** (b) In addition to ordering child support for a child under sub. (1),
22 the court shall specifically assign responsibility for and direct the manner of
23 payment of the child's health care expenses. In assigning responsibility for a child's
24 health care expenses, the court shall consider whether a child is covered under a
25 parent's health insurance policy or plan at the time the court approves a stipulation

1 for child support under s. 767.10, enters a judgment of annulment, divorce or legal
2 separation, or enters an order or a judgment in a paternity action or in an action
3 under s. 767.02 (1) (f) or (j) or 767.08 or 767.62 (3), the availability of health
4 insurance to each parent through an employer or other organization, the extent of
5 coverage available to a child and the costs to the parent for the coverage of the child.
6 A parent may be required to initiate or continue health care insurance coverage for
7 a child under this subsection. If a parent is required to do so, he or she shall provide
8 copies of necessary program or policy identification to the custodial parent and is
9 liable for any health care costs for which he or she receives direct payment from an
10 insurer. This subsection shall not be construed to limit the authority of the court to
11 enter or modify support orders containing provisions for payment of medical
12 expenses, medical costs, or insurance premiums which are in addition to and not
13 inconsistent with this subsection.

14 **SECTION 3054dj.** 767.25 (5) of the statutes is amended to read:

15 767.25 (5) Liability Subject to ss. 767.51 (4) and 767.62 (4m), liability for past
16 support shall be limited to the period after the birth of the child.

17 **SECTION 3054dk.** 767.25 (6) (intro.) of the statutes, as affected by 1997
18 Wisconsin Act 191, section 398, is amended to read:

19 767.25 (6) (intro.) A party ordered to pay child support under this section shall
20 pay simple interest at the rate of ~~1.5%~~ 1% per month on any amount in arrears that
21 is equal to or greater than the amount of child support due in one month. If the party
22 no longer has a current obligation to pay child support, interest at the rate of ~~1.5%~~
23 1% per month shall accrue on the total amount of child support in arrears, if any.
24 Interest under this subsection is in lieu of interest computed under s. 807.01 (4),
25 814.04 (4) or 815.05 (8) and is paid to the department or its designee under s. 767.29.

1 Except as provided in s. 767.29 (1m), the department or its designee, whichever is
2 appropriate, shall apply all payments received for child support as follows:

3 **SECTION 3054dL.** 767.253 of the statutes is amended to read:

4 **767.253 Seek-work orders.** In an action for modification of a child support
5 order under s. 767.32 or an action in which an order for child support is required
6 under s. 767.25 (1), 767.51 (3) or 767.62 (4) (a), the court may order either or both
7 parents of the child to seek employment or participate in an employment or training
8 program.

9 **SECTION 3054dm.** 767.254 (2) (intro.) of the statutes is amended to read:

10 **767.254 (2) (intro.)** In an action for revision of a judgment or order providing
11 for child support under s. 767.32 or an action in which an order for child support is
12 required under s. 767.25 (1), 767.51 (3) or 767.62 (4) (a), the court shall order an
13 unemployed teenage parent to do one or more of the following:

14 **SECTION 3054dn.** 767.261 (intro.) of the statutes, as affected by 1997 Wisconsin
15 Act 191, section 403, is amended to read:

16 **767.261 Family support.** (intro.) The court may make a financial order
17 designated “family support” as a substitute for child support orders under s. 767.25
18 and maintenance payment orders under s. 767.26. A party ordered to pay family
19 support under this section shall pay simple interest at the rate of ~~1.5%~~ 1% per month
20 on any amount in arrears that is equal to or greater than the amount of child support
21 due in one month. If the party no longer has a current obligation to pay child support,
22 interest at the rate of ~~1.5%~~ 1% per month shall accrue on the total amount of child
23 support in arrears, if any. Interest under this section is in lieu of interest computed
24 under s. 807.01 (4), 814.04 (4) or 815.05 (8) and is paid to the department or its
25 designee under s. 767.29. Except as provided in s. 767.29 (1m), the department or

1 its designee, whichever is appropriate, shall apply all payments received for family
2 support as follows:

3 **SECTION 3055.** 767.265 (1) of the statutes, as affected by 1997 Wisconsin Act
4 191, section 411, is amended to read:

5 767.265 (1) Each order for child support under this chapter, for maintenance
6 payments under s. 767.23 or 767.26, for family support under this chapter, for costs
7 ordered under s. 767.51 (3) or 767.62 (4) (a), for support by a spouse under s. 767.02
8 (1) (f) ~~or~~, for maintenance payments under s. 767.02 (1) (g) or for the annual receiving
9 and disbursing fee under s. 767.29 (1) (d), each order for a revision in a judgment or
10 order with respect to child support, maintenance or family support payments under
11 s. 767.32, each stipulation approved by the court or the family court commissioner
12 for child support under this chapter and each order for child or spousal support
13 entered under s. 948.22 (7) constitutes an assignment of all commissions, earnings,
14 salaries, wages, pension benefits, benefits under ch. 102 or 108, lottery prizes that
15 are payable in instalments and other money due or to be due in the future to the
16 department or its designee. The assignment shall be for an amount sufficient to
17 ensure payment under the order or stipulation and to pay any arrearages due at a
18 periodic rate not to exceed 50% of the amount of support due under the order or
19 stipulation so long as the addition of the amount toward arrearages does not leave
20 the party at an income below the poverty line established under 42 USC 9902 (2).

21 **SECTION 3055c.** 767.265 (1) of the statutes, as affected by 1997 Wisconsin Act
22 191, section 411, is amended to read:

23 767.265 (1) Each order for child support under this chapter, for maintenance
24 payments under s. 767.23 or 767.26, for family support under this chapter, for costs
25 ordered under s. 767.51 (3) or 767.62 (4) (a), for support by a spouse under s. 767.02

1 (1) (f), for maintenance payments under s. 767.02 (1) (g) or for the annual receiving
2 and disbursing fee under s. 767.29 (1) (d), each order for a revision in a judgment or
3 order with respect to child support, maintenance or family support payments under
4 s. 767.32, each stipulation approved by the court or the family court commissioner
5 for child support under this chapter and each order for child or spousal support
6 entered under s. 948.22 (7) constitutes an assignment of all commissions, earnings,
7 salaries, wages, pension benefits, benefits under ch. 102 or 108, lottery prizes that
8 are payable in instalments and other money due or to be due in the future to the
9 department or its designee. The assignment shall be for an amount sufficient to
10 ensure payment under the order or stipulation and to pay any arrearages due at a
11 periodic rate not to exceed 50% of the amount of support due under the order or
12 stipulation so long as the addition of the amount toward arrearages does not leave
13 the party at an income below the poverty line established under 42 USC 9902 (2).

14 **SECTION 3056.** 767.265 (1m) of the statutes is created to read:

15 767.265 (1m) If a party's current obligation to pay maintenance, child support,
16 spousal support or family support terminates but the party has an arrearage in the
17 payment of one or more of those payments, the assignment shall continue in effect,
18 in an amount up to the amount of the assignment before the party's current
19 obligation terminated, until the arrearage is paid in full.

20 **SECTION 3057.** 767.265 (1m) of the statutes, as created by 1999 Wisconsin Act
21 (this act), is amended to read:

22 767.265 (1m) If a party's current obligation to pay maintenance, child support,
23 spousal support or, family support or the annual receiving and disbursing fee
24 terminates but the party has an arrearage in the payment of one or more of those
25 payments, the assignment shall continue in effect, in an amount up to the amount

1 of the assignment before the party's current obligation terminated, until the
2 arrearage is paid in full.

3 **SECTION 3058.** 767.265 (2h) of the statutes is amended to read:

4 767.265 (2h) If a court-ordered assignment, including the assignment
5 specified under sub. (1) for the payment of any arrearages due, does not require
6 immediately effective withholding and a payer fails to make a required maintenance,
7 child support, spousal support or family support payment within 10 days after its due
8 date, within 20 days after the payment's due date the court or family court
9 commissioner or county child support agency under s. 59.53 (5) shall cause the
10 assignment to go into effect by providing notice of the assignment in the manner
11 provided under sub. (2r) and shall send a notice by regular mail to the last-known
12 address of the payer. The notice sent to the payer shall inform the payer that an
13 assignment is in effect and that the payer may, within a 10-day period, by motion
14 request a hearing on the issue of whether the assignment should remain in effect.
15 The court or family court commissioner shall hold a hearing requested under this
16 subsection within 10 working days after the date of the request. If at the hearing the
17 payer establishes that the assignment is not proper because of a mistake of fact, the
18 court or family court commissioner may direct that the assignment be withdrawn.
19 Either party may, within 15 working days after the date of a decision by a family court
20 commissioner under this subsection, seek review of the decision by the court with
21 jurisdiction over the action.

22 **SECTION 3059.** 767.265 (2h) of the statutes, as affected by 1999 Wisconsin Act
23 (this act), is amended to read:

24 767.265 (2h) If a court-ordered assignment, including the assignment
25 specified under sub. (1) for the payment of any arrearages due, does not require

1 immediately effective withholding and a payer fails to make a required maintenance,
2 child support, spousal support ~~or~~, family support or annual receiving and disbursing
3 fee payment within 10 days after its due date, within 20 days after the payment's due
4 date the court, family court commissioner or county child support agency under s.
5 59.53 (5) shall cause the assignment to go into effect by providing notice of the
6 assignment in the manner provided under sub. (2r) and shall send a notice by regular
7 mail to the last-known address of the payer. The notice sent to the payer shall inform
8 the payer that an assignment is in effect and that the payer may, within a 10-day
9 period, by motion request a hearing on the issue of whether the assignment should
10 remain in effect. The court or family court commissioner shall hold a hearing
11 requested under this subsection within 10 working days after the date of the request.
12 If at the hearing the payer establishes that the assignment is not proper because of
13 a mistake of fact, the court or family court commissioner may direct that the
14 assignment be withdrawn. Either party may, within 15 working days after the date
15 of a decision by a family court commissioner under this subsection, seek review of the
16 decision by the court with jurisdiction over the action.

17 **SECTION 3060.** 767.265 (2m) of the statutes is created to read:

18 767.265 **(2m)** (a) 1. An obligation to pay unpaid fees under s. 767.29 (1) (dm)
19 1m. constitutes an assignment of all commissions, earnings, salaries, wages, pension
20 benefits, benefits under ch. 102 or 108, lottery prizes that are payable in instalments
21 and other money due or to be due in the future to the department or its designee.

22 2. An obligation to pay unpaid fees under s. 767.29 (1) (dm) 2m. constitutes an
23 assignment of all commissions, earnings, salaries, wages, pension benefits, benefits
24 under ch. 102 or 108, lottery prizes that are payable in instalments and other money

1 due or to be due in the future to the clerk of court to whom the fees are owed, or to
2 his or her successor.

3 (b) The county child support agency under s. 59.53 (5) may cause an assignment
4 under par. (a) to go into effect by providing notice of the assignment in the manner
5 provided under sub. (2r) and sending a notice by regular mail to the last-known
6 address of the payer. The notice sent to the payer shall inform the payer that an
7 assignment is in effect and that the payer may, within a 10-day period, by motion
8 request a hearing on the issue of whether the assignment should remain in effect.
9 The court or family court commissioner shall hold a hearing requested under this
10 paragraph within 10 working days after the date of the request. If at the hearing the
11 payer establishes that the assignment is not proper because of a mistake of fact, the
12 court or family court commissioner may direct that the assignment be withdrawn.
13 The payer or the county child support agency may, within 15 working days after the
14 date of a decision by a family court commissioner under this paragraph, seek review
15 of the decision by the court with jurisdiction over the action.

16 **SECTION 3061.** 767.265 (2r) of the statutes, as affected by 1997 Wisconsin Act
17 191, section 414, is amended to read:

18 767.265 (2r) Upon entry of each order for child support, maintenance, family
19 support ~~or~~, support by a spouse or the annual receiving and disbursing fee, and upon
20 approval of each stipulation for child support, unless the court finds that income
21 withholding is likely to cause the payer irreparable harm or unless s. 767.267
22 applies, the court, family court commissioner or county child support agency under
23 s. 59.53 (5) shall provide notice of the assignment by regular mail or by facsimile
24 machine, as defined in s. 134.72 (1) (a), or other electronic means to the last-known
25 address of the person from whom the payer receives or will receive money. The notice

1 shall provide that the amount withheld may not exceed the maximum amount that
2 is subject to garnishment under 15 USC 1673 (b) (2). If the department or its
3 designee, whichever is appropriate, does not receive the money from the person
4 notified, the court, family court commissioner or county child support agency under
5 s. 59.53 (5) shall provide notice of the assignment to any other person from whom the
6 payer receives or will receive money. Notice under this subsection may be a notice
7 of the court, a copy of the executed assignment or a copy of that part of the court order
8 directing payment.

9 **SECTION 3061c.** 767.265 (3h) of the statutes, as affected by 1997 Wisconsin Act
10 191, section 415, is amended to read:

11 767.265 (3h) A person who receives notice of assignment under this section or
12 s. 767.23 (1) (L), or 767.25 (4m) (c), ~~767.51 (3m) (c) or 767.62 (4) (b) 3.~~ or similar laws
13 of another state shall withhold the amount specified in the notice from any money
14 that person pays to the payer later than one week after receipt of notice of
15 assignment. Within 5 days after the day the person pays money to the payer, the
16 person shall send the amount withheld to the department or its designee, whichever
17 is appropriate, or, in the case of an amount ordered withheld for health care
18 expenses, to the appropriate health care insurer, provider or plan. With each
19 payment sent to the department or its designee, the person from whom the payer
20 receives money shall report to the department or its designee the payer's gross
21 income or other gross amount from which the payment was withheld. Except as
22 provided in sub. (3m), for each payment sent to the department or its designee, the
23 person from whom the payer receives money shall receive an amount equal to the
24 person's necessary disbursements, not to exceed \$3, which shall be deducted from the

1 money to be paid to the payer. Section 241.09 does not apply to assignments under
2 this section.

3 **SECTION 3061cd.** 767.265 (4) of the statutes is amended to read:

4 767.265 (4) A withholding assignment or order under this section or s. 767.23
5 (1) (L), or 767.25 (4m) (c), ~~767.51 (3m) (c) or 767.62 (4) (b) 3.~~ has priority over any other
6 assignment, garnishment or similar legal process under state law.

7 **SECTION 3061ce.** 767.265 (6) (a) of the statutes, as affected by 1997 Wisconsin
8 Act 191, section 420, is amended to read:

9 767.265 (6) (a) Except as provided in sub. (3m), if after receipt of notice of
10 assignment the person from whom the payer receives money fails to withhold the
11 money or send the money to the department or its designee or the appropriate health
12 care insurer, provider or plan as provided in this section or s. 767.23 (1) (L), or 767.25
13 (4m) (c), ~~767.51 (3m) (c) or 767.62 (4) (b) 3.~~, the person may be proceeded against
14 under the principal action under ch. 785 for contempt of court or may be proceeded
15 against under ch. 778 and be required to forfeit not less than \$50 nor more than an
16 amount, if the amount exceeds \$50, that is equal to 1% of the amount not withheld
17 or sent.

18 **SECTION 3061cf.** 767.265 (6) (b) of the statutes, as affected by 1997 Wisconsin
19 Act 191, section 422, is amended to read:

20 767.265 (6) (b) If an employer who receives an assignment under this section
21 or s. 767.23 (1) (L), or 767.25 (4m) (c), ~~767.51 (3m) (c) or 767.62 (4) (b) 3.~~ fails to notify
22 the department or its designee, whichever is appropriate, within 10 days after an
23 employe is terminated or otherwise temporarily or permanently leaves employment,
24 the employer may be proceeded against under the principal action under ch. 785 for
25 contempt of court.

1 **SECTION 3061cg.** 767.265 (6) (c) of the statutes is amended to read:

2 767.265 **(6)** (c) No employer may use an assignment under this section or s.
3 767.23 (1) (L), or 767.25 (4m) (c), ~~767.51 (3m) (c) or 767.62 (4) (b) 3.~~ as a basis for the
4 denial of employment to a person, the discharge of an employe or any disciplinary
5 action against an employe. An employer who denies employment or discharges or
6 disciplines an employe in violation of this paragraph may be fined not more than
7 \$500 and may be required to make full restitution to the aggrieved person, including
8 reinstatement and back pay. Except as provided in this paragraph, restitution shall
9 be in accordance with s. 973.20. An aggrieved person may apply to the district
10 attorney or to the department for enforcement of this paragraph.

11 **SECTION 3061ch.** 767.267 (1) of the statutes, as affected by 1997 Wisconsin Act
12 27, is amended to read:

13 767.267 **(1)** If the court or the family court commissioner determines that
14 income withholding under s. 767.265 is inapplicable, ineffective or insufficient to
15 ensure payment under an order or stipulation specified in s. 767.265 (1), or that
16 income withholding under s. 767.25 (4m) (c) ~~or 767.51 (3m) (c)~~ is inapplicable,
17 ineffective or insufficient to ensure payment of a child's health care expenses,
18 including payment of health insurance premiums, ordered under s. 767.25 (4m) or
19 767.51 (3m), the court or family court commissioner may require the payer to identify
20 or establish a deposit account, owned in whole or in part by the payer, that allows for
21 periodic transfers of funds and to file with the financial institution at which the
22 account is located an authorization for transfer from the account to the department
23 or its designee, whichever is appropriate. The authorization shall be provided on a
24 standard form approved by the court and shall specify the frequency and the amount
25 of transfer, sufficient to meet the payer's obligation under the order or stipulation,

1 as required by the court or family court commissioner. The authorization shall
2 include the payer's consent for the financial institution or an officer, employe or agent
3 of the financial institution to disclose information to the court, family court
4 commissioner, county child support agency under s. 59.53 (5), department or
5 department's designee regarding the account for which the payer has executed the
6 authorization for transfer.

7 **SECTION 3062.** 767.29 (1) (d) (intro.) and 1. of the statutes, as created by 1997
8 Wisconsin Act 27, are consolidated, renumbered 767.29 (1) (d) and amended to read:

9 767.29 (1) (d) For receiving and disbursing maintenance, child support or
10 family support payments, and for maintaining the records required under par. (c),
11 the department or its designee shall collect an annual fee of \$25 ~~to be paid by each~~
12 ~~party ordered to make payments.~~ The court or family court commissioner shall order
13 each party ordered to make payments to pay the annual fee under this paragraph at
14 ~~the time of, and in addition to, the first payment to the department or its designee~~
15 ~~in each year for which payments are ordered.~~ In directing the manner of payment
16 of the annual fee, the court or family court commissioner shall order that the annual
17 fee be withheld from income and sent to the department or its designee, as provided
18 under s. 767.265. All fees collected under this paragraph shall be deposited in the
19 appropriation account under s. 20.445 (3) (ja). At the time of ordering the payment
20 of an annual fee under this paragraph, the court or family court commissioner shall
21 notify each party ordered to make payments of the requirement to pay the annual
22 fee and of the amount of the annual fee. If the annual fee under this ~~section~~
23 paragraph is not paid when due, the department or its designee may not deduct the
24 annual fee from the maintenance or child or family support payment, but may ~~do any~~
25 ~~of the following:~~ 1. ~~Move~~ move the court for a remedial sanction under ch. 785.

1 **SECTION 3063.** 767.29 (1) (d) 2. of the statutes, as created by 1997 Wisconsin
2 Act 27, is repealed.

3 **SECTION 3064.** 767.29 (1) (dm) of the statutes is created to read:

4 767.29 (1) (dm) 1m. The department or its designee may collect any unpaid fees
5 under s. 814.61 (12) (b), 1997 stats., that are shown on the department's automated
6 payment and collection system on December 31, 1998, and shall deposit all fees
7 collected under this subdivision in the appropriation account under s. 20.445 (3) (ja).
8 The department or its designee may collect unpaid fees under this subdivision
9 through income withholding under s. 767.265 (2m). If the department or its designee
10 determines that income withholding is inapplicable, ineffective or insufficient for the
11 collection of any unpaid fees under this subdivision, the department or its designee
12 may move the court for a remedial sanction under ch. 785. The department or its
13 designee may contract with or employ a collection agency or other person for the
14 collection of any unpaid fees under this subdivision and, notwithstanding s. 20.930,
15 may contract with or employ an attorney to appear in any action in state or federal
16 court to enforce the payment obligation. The department or its designee may not
17 deduct the amount of unpaid fees from any maintenance or child or family support
18 payment.

19 2m. A clerk of court may collect any unpaid fees under s. 814.61 (12) (b), 1997
20 stats., that are owed to the clerk of court, or to his or her predecessor, and that were
21 not shown on the department's automated payment and collection system on
22 December 31, 1998, through income withholding under s. 767.265 (2m). If the clerk
23 of court determines that income withholding is inapplicable, ineffective or
24 insufficient for the collection of any unpaid fees under this subdivision, the clerk of
25 court may move the court for a remedial sanction under ch. 785.

1 **SECTION 3065c.** 767.29 (1m) (intro.) of the statutes, as affected by 1997
2 Wisconsin Act 191, section 427, is amended to read:

3 767.29 **(1m)** (intro.) Notwithstanding ss. 767.25 (6), and 767.261, ~~767.51 (5p)~~
4 ~~and 767.62 (4) (g)~~, if the department or its designee receives support or maintenance
5 money that exceeds the amount due in the month in which it is received and that the
6 department or its designee determines is for support or maintenance due in a
7 succeeding month, the department or its designee may hold the amount of
8 overpayment that does not exceed the amount due in the next month for
9 disbursement in the next month if any of the following applies:

10 **SECTION 3065cd.** 767.295 (2) (a) (intro.) of the statutes is amended to read:

11 767.295 **(2)** (a) (intro.) In an action for modification of a child support order
12 under s. 767.32, an action in which an order for child support is required under s.
13 767.25 (1), 767.51 (3) or 767.62 (4) ~~(a)~~ or a contempt of court proceeding to enforce a
14 child support or family support order in a county that contracts under s. 49.36 (2),
15 the court may order a parent who is not a custodial parent to register for a work
16 experience and job training program under s. 49.36 if all of the following conditions
17 are met:

18 **SECTION 3065ce.** 767.295 (2) (c) of the statutes is amended to read:

19 767.295 **(2)** (c) If the court enters an order under par. (a), it shall order the
20 parent to pay child support equal to the amount determined by applying the
21 percentage standard established under s. 49.22 (9) to the income a person would earn
22 by working 40 hours per week for the federal minimum hourly wage under 29 USC
23 206 (a) (1) or equal to the amount of child support that the parent was ordered to pay
24 in the most recent determination of support under this chapter. The child support
25 obligation ordered under this paragraph continues until the parent makes timely

1 payment in full for 3 consecutive months or until the person participates in the
2 program under s. 49.36 for 16 weeks, whichever comes first. The court shall provide
3 in its order that the parent must make child support payments calculated under s.
4 767.25 (1j) or (1m), ~~767.51 (4m) or (5) or 767.62 (4) (d) 1. or (e)~~ after the obligation to
5 make payments ordered under this paragraph ceases.

6 **SECTION 3065cf.** 767.303 (1) of the statutes is amended to read:

7 767.303 (1) If a person fails to pay a payment ordered for support under s.
8 767.077, support under s. 767.08, child support or family support under s. 767.23,
9 child support under s. 767.25, family support under s. 767.261, revised child or
10 family support under s. 767.32, child support under s. 767.458 (3), child support
11 under s. 767.458 (3), child support under s. 767.51, child support under s. 767.62 (4)
12 (a), child support under ch. 769 or child support under s. 948.22 (7), the payment is
13 90 or more days past due and the court finds that the person has the ability to pay
14 the amount ordered, the court may suspend the person's operating privilege, as
15 defined in s. 340.01 (40), until the person pays all arrearages in full or makes
16 payment arrangements that are satisfactory to the court, except that the suspension
17 period may not exceed 5 years. If otherwise eligible, the person is eligible for an
18 occupational license under s. 343.10 at any time.

19 **SECTION 3065cg.** 767.303 (1) of the statutes, as affected by 1997 Wisconsin Act
20 84, is amended to read:

21 767.303 (1) If a person fails to pay a payment ordered for support under s.
22 767.077, support under s. 767.08, child support or family support under s. 767.23,
23 child support under s. 767.25, family support under s. 767.261, revised child or
24 family support under s. 767.32, child support under s. 767.458 (3), child support
25 under s. 767.477, child support under s. 767.51, child support under s. 767.62 (4) (a),

1 child support under ch. 769 or child support under s. 948.22 (7), the payment is 90
2 or more days past due and the court finds that the person has the ability to pay the
3 amount ordered, the court may suspend the person's operating privilege, as defined
4 in s. 340.01 (40), until the person pays all arrearages in full or makes payment
5 arrangements that are satisfactory to the court, except that the suspension period
6 may not exceed 2 years. If otherwise eligible, the person is eligible for an
7 occupational license under s. 343.10 at any time.

8 **SECTION 3065ch.** 767.32 (1) (b) 4. of the statutes is amended to read:

9 767.32 (1) (b) 4. A difference between the amount of child support ordered by
10 the court to be paid by the payer and the amount that the payer would have been
11 required to pay based on the percentage standard established by the department
12 under s. 49.22 (9) if the court did not use the percentage standard in determining the
13 child support payments and did not provide the information required under s. 46.10
14 (14) (d), 301.12 (14) (d), or 767.25 (1n), ~~767.51 (5d) or 767.62 (4) (f)~~, whichever is
15 appropriate.

16 **SECTION 3065ci.** 767.32 (2m) of the statutes is amended to read:

17 767.32 (2m) Upon request by a party, the court may modify the amount of
18 revised child support payments determined under sub. (2) if, after considering the
19 factors listed in s. 767.25 (1m), ~~767.51 (5) or 767.62 (4) (e)~~, as appropriate, the court
20 finds, by the greater weight of the credible evidence, that the use of the percentage
21 standard is unfair to the child or to any of the parties.

22 **SECTION 3065cj.** 767.325 (2m) of the statutes is created to read:

23 767.325 (2m) MODIFICATION OF PERIODS OF PHYSICAL PLACEMENT FOR FAILURE TO
24 EXERCISE PHYSICAL PLACEMENT. Notwithstanding subs. (1) and (2), upon petition,
25 motion or order to show cause by a party, a court may modify an order of physical

1 placement at any time with respect to periods of physical placement if it finds that
2 a parent has repeatedly and unreasonably failed to exercise periods of physical
3 placement awarded under an order of physical placement that allocates specific
4 times for the exercise of periods of physical placement.

5 **SECTION 3064cjm.** 767.325 (4m) of the statutes is created to read:

6 767.325 **(4m)** DENIAL OF PHYSICAL PLACEMENT FOR KILLING OTHER PARENT. (a)
7 Notwithstanding subs. (1) to (4), upon petition, motion or order to show cause by a
8 party or on its own motion, a court shall modify a physical placement order by
9 denying a parent physical placement with a child if the parent has been convicted
10 under s. 940.01 of the first-degree intentional homicide, or under s. 940.05 of the
11 2nd-degree intentional homicide, of the child's other parent, and the conviction has
12 not been reversed, set aside or vacated.

13 (b) Paragraph (a) does not apply if the court determines by clear and convincing
14 evidence that physical placement with the parent would be in the best interests of
15 the child. The court shall consider the wishes of the child in making the
16 determination.

17 **SECTION 3065ck.** 767.325 (5m) of the statutes is created to read:

18 767.325 **(5m)** FACTORS TO CONSIDER. In all actions to modify legal custody or
19 physical placement orders, the court shall consider the factors under s. 767.24 (5) and
20 shall make its determination in a manner consistent with s. 767.24.

21 **SECTION 3065cL.** 767.325 (6m) of the statutes is created to read:

22 767.325 **(6m)** PARENTING PLAN. In any action to modify a legal custody or
23 physical placement order under sub. (1), the court may require the party seeking the
24 modification to file with the court a parenting plan under s. 767.24 (1m) before any
25 hearing is held.

1 **SECTION 3065cm.** 767.327 (4) of the statutes is amended to read:

2 767.327 **(4)** GUARDIAN AD LITEM; PROMPT HEARING. After a petition, motion or
3 order to show cause is filed under sub. (3), the court shall appoint a guardian ad litem,
4 unless s. 767.045 (1) (am) applies, and shall hold a hearing as soon as possible.

5 **SECTION 3065cn.** 767.327 (5m) of the statutes is created to read:

6 767.327 **(5m)** DISCRETIONARY FACTORS TO CONSIDER. In making a determination
7 under sub. (3), the court may consider the child's adjustment to the home, school,
8 religion and community.

9 **SECTION 3065co.** 767.45 (7) of the statutes is amended to read:

10 767.45 **(7)** The clerk of court shall provide without charge, to each person
11 bringing an action under this section, except to the state under sub. (1) (g) or (6m),
12 a document setting forth the percentage standard established by the department
13 under s. 49.22 (9) and listing the factors which a court may consider under s. ~~767.51~~
14 ~~(5)~~ 767.25 (1m).

15 **SECTION 3065cp.** 767.455 (6) of the statutes is amended to read:

16 767.455 **(6)** DOCUMENT. The summons served on the respondent shall be
17 accompanied by a document, provided without charge by the clerk of court, setting
18 forth the percentage standard established by the department under s. 49.22 (9) and
19 listing the factors which a court may consider under s. ~~767.51 (5)~~ 767.25 (1m).

20 **SECTION 3065cpm.** 767.475 (2m) of the statutes is created to read:

21 767.475 **(2m)** If there is no presumption of paternity under s. 891.41 (1), the
22 mother shall have sole legal custody of the child until the court orders otherwise.

23 **SECTION 3065cq.** 767.477 (1) of the statutes is amended to read:

24 767.477 **(1)** At any time during the pendency of an action to establish the
25 paternity of a child, if genetic tests show that the alleged father is not excluded and

1 that the statistical probability of the alleged father's parentage is 99.0% or higher,
2 on the motion of a party, the court shall make ~~an appropriate temporary order~~ orders
3 for the payment of child support ~~and may make a temporary order,~~ assigning
4 responsibility for and directing the manner of payment of the child's health care
5 expenses and for the custody and physical placement of the child.

6 **SECTION 3065cr.** 767.477 (2) of the statutes is amended to read:

7 767.477 (2) Before making any temporary order under sub. (1), the court shall
8 consider those factors that the court is required ~~under s. 767.51~~ to consider when
9 granting a final judgment on the same subject matter. If the court makes a
10 temporary child support order that deviates from the amount of support that would
11 be required by using the percentage standard established by the department under
12 s. 49.22 (9), the court shall comply with the requirements of s. ~~767.51 (5d)~~ 767.25 (1n).

13 **SECTION 3065cs.** 767.51 (3) of the statutes is repealed and recreated to read:

14 767.51 (3) A judgment or order determining paternity shall contain all of the
15 following provisions:

16 (a) An adjudication of the paternity of the child.

17 (b) Orders for the legal custody of and periods of physical placement with the
18 child, determined in accordance with s. 767.24.

19 (c) An order requiring either or both of the parents to contribute to the support
20 of any child of the parties who is less than 18 years old, or any child of the parties who
21 is less than 19 years old if the child is pursuing an accredited course of instruction
22 leading to the acquisition of a high school diploma or its equivalent, determined in
23 accordance with s. 767.25.

1 (d) A determination as to which parent, if eligible, shall have the right to claim
2 the child as an exemption for federal tax purposes under 26 USC 151 (c) (1) (B), or
3 as an exemption for state tax purposes under s. 71.07 (8) (b).

4 (e) An order requiring the father to pay or contribute to the reasonable expenses
5 of the mother's pregnancy and the child's birth, based on the father's ability to pay
6 or contribute to those expenses.

7 (f) An order requiring either or both parties to pay or contribute to the costs of
8 the guardian ad litem fees, genetic tests as provided in s. 767.48 (5) and other costs.

9 (g) An order requiring either party to pay or contribute to the attorney fees of
10 the other party.

11 **SECTION 3065ct.** 767.51 (3m) of the statutes, as affected by 1997 Wisconsin Act
12 27, is repealed.

13 **SECTION 3065cu.** 767.51 (3r) of the statutes is repealed.

14 **SECTION 3065cv.** 767.51 (4) of the statutes is repealed and recreated to read:

15 767.51 (4) (a) Subject to par. (b), liability for past support of the child shall be
16 limited to support for the period after the day on which the petition in the action
17 under s. 767.45 is filed, unless a party shows, to the satisfaction of the court, all of
18 the following:

19 1. That he or she was induced to delay commencing the action by any of the
20 following:

21 a. Duress or threats.

22 b. Actions, promises or representations by the other party upon which the party
23 relied.

24 c. Actions taken by the other party to evade paternity proceedings.

1 2. That, after the inducement ceased to operate, he or she did not unreasonably
2 delay in commencing the action.

3 (b) In no event may liability for past support of the child be imposed for any
4 period before the birth of the child.

5 **SECTION 3065cw.** 767.51 (4g) of the statutes is repealed.

6 **SECTION 3065cx.** 767.51 (4m) of the statutes is repealed.

7 **SECTION 3065cy.** 767.51 (5) of the statutes is repealed.

8 **SECTION 3065d.** 767.51 (5d) of the statutes is repealed.

9 **SECTION 3065dd.** 767.51 (5p) of the statutes, as affected by 1997 Wisconsin Act
10 191, is repealed.

11 **SECTION 3065de.** 767.53 (intro.) of the statutes is amended to read:

12 **767.53 Paternity hearings and records; confidentiality.** (intro.) Any
13 hearing, discovery proceeding or trial relating to paternity determination shall be
14 closed to any person other than those necessary to the action or proceeding. Any
15 record of the pending proceedings shall be placed in a closed file, except that:

16 **SECTION 3065df.** 767.53 (1) (intro.) of the statutes is amended to read:

17 767.53 (1) (intro.) Access to the record of any pending ~~or past~~ proceeding
18 involving the paternity of the same child shall be allowed to all of the following:

19 **SECTION 3065dg.** 767.53 (3) of the statutes is created to read:

20 767.53 (3) Subject to s. 767.19, a record of a past proceeding is open to public
21 inspection if all of the following apply:

22 (a) Paternity was established in the proceeding.

23 (b) The record is filed after the effective date of this paragraph [revisor
24 inserts date].

25 (c) The record relates to a post-adjudication issue.

1 **SECTION 3065dh.** 767.62 (4) of the statutes, as affected by 1997 Wisconsin Act
2 191, is repealed and recreated to read:

3 767.62 (4) ORDERS WHEN PATERNITY ACKNOWLEDGED. In an action under sub. (3)
4 (a), if the persons who signed and filed the statement acknowledging paternity as
5 parents of the child had notice of the hearing, the court or family court commissioner
6 shall make an order that contains all of the following provisions:

7 (a) Orders for the legal custody of and periods of physical placement with the
8 child, determined in accordance with s. 767.24.

9 (b) An order requiring either or both of the parents to contribute to the support
10 of any child of the parties who is less than 18 years old, or any child of the parties who
11 is less than 19 years old if the child is pursuing an accredited course of instruction
12 leading to the acquisition of a high school diploma or its equivalent, determined in
13 accordance with s. 767.25.

14 (c) A determination as to which parent, if eligible, shall have the right to claim
15 the child as an exemption for federal tax purposes under 26 USC 151 (c) (1) (B), or
16 as an exemption for state tax purposes under s. 71.07 (8) (b).

17 (d) An order requiring the father to pay or contribute to the reasonable
18 expenses of the mother's pregnancy and the child's birth, based on the father's ability
19 to pay or contribute to those expenses.

20 (e) An order requiring either or both parties to pay or contribute to the costs
21 of the guardian ad litem fees and other costs.

22 (f) An order requiring either party to pay or contribute to the attorney fees of
23 the other party.

24 **SECTION 3065di.** 767.62 (4m) of the statutes is created to read:

1 767.62 **(4m)** LIABILITY FOR PAST SUPPORT. (a) Subject to par. (b), liability for past
2 support of the child shall be limited to support for the period after the day on which
3 the petition, motion or order to show cause requesting support is filed in the action
4 for support under sub. (3) (a), unless a party shows, to the satisfaction of the court,
5 all of the following:

6 1. That he or she was induced to delay commencing the action by any of the
7 following:

8 a. Duress or threats.

9 b. Actions, promises or representations by the other party upon which the party
10 relied.

11 c. Actions taken by the other party to evade proceedings under sub. (3) (a).

12 2. That, after the inducement ceased to operate, he or she did not unreasonably
13 delay in commencing the action.

14 (b) In no event may liability for past support of the child be imposed for any
15 period before the birth of the child.

16 **SECTION 3066.** 778.02 of the statutes is amended to read:

17 **778.02 Action in name of state; complaint; attachment.** Every such
18 forfeiture action shall be in the name of the state of Wisconsin, and it is sufficient to
19 allege in the complaint that the defendant is indebted to the plaintiff in the amount
20 of the forfeiture claimed, according to the provisions of the statute that imposes it,
21 specifying the statute and for the penalty assessment imposed by s. ~~165.87~~ 757.05,
22 the jail assessment imposed by s. 302.46 (1), the crime laboratories and drug law
23 enforcement assessment imposed by s. 165.755, the enforcement assessment
24 imposed under s. 253.06 (4) (c) or (5) (c), any applicable consumer information
25 assessment imposed by s. 100.261 and any applicable domestic abuse assessment

1 imposed by s. 973.055 (1). If the statute imposes a forfeiture for several offenses or
2 delinquencies the complaint shall specify the particular offense or delinquency for
3 which the action is brought, with a demand for judgment for the amount of the
4 forfeiture, penalty assessment, jail assessment, crime laboratories and drug law
5 enforcement assessment, any applicable enforcement assessment, any applicable
6 consumer information assessment and any applicable domestic abuse assessment.
7 If the defendant is a nonresident of the state, an attachment may issue.

8 **SECTION 3067.** 778.03 of the statutes is amended to read:

9 **778.03 Complaint to recover forfeited goods.** In an action to recover
10 property forfeited by any statute it shall be sufficient to allege in the complaint that
11 the property has been forfeited, specifying the statute, with a demand of judgment
12 for the delivery of the property, or the value thereof and for payment of the penalty
13 assessment imposed by s. ~~165.87~~ 757.05, the jail assessment imposed by s. 302.46 (1),
14 the crime laboratories and drug law enforcement assessment imposed by s. 165.755,
15 the enforcement assessment imposed under s. 253.06 (4) (c) or (5) (c), any applicable
16 consumer information assessment imposed by s. 100.261 and any applicable
17 domestic abuse assessment imposed by s. 973.055 (1).

18 **SECTION 3068.** 778.06 of the statutes is amended to read:

19 **778.06 Action for what sum.** When a forfeiture is imposed, not exceeding a
20 specific sum or when it is not less than one sum or more than another, the action may
21 be brought for the highest sum specified and for the penalty assessment imposed by
22 s. ~~165.87~~ 757.05, the jail assessment imposed by s. 302.46 (1), the crime laboratories
23 and drug law enforcement assessment imposed by s. 165.755, the enforcement
24 assessment imposed under s. 253.06 (4) (c) or (5) (c), any applicable consumer
25 information assessment imposed by s. 100.261 and any applicable domestic abuse

1 assessment imposed by s. 973.055 (1); and judgment may be rendered for such sum
2 as the court or jury shall assess or determine to be proportionate to the offense.

3 **SECTION 3069.** 778.10 of the statutes is amended to read:

4 **778.10 Municipal forfeitures, how recovered.** All forfeitures imposed by
5 any ordinance or regulation of any county, town, city or village, or of any other
6 domestic corporation may be sued for and recovered, under this chapter, in the name
7 of the county, town, city, village or corporation. It is sufficient to allege in the
8 complaint that the defendant is indebted to the plaintiff in the amount of the
9 forfeiture claimed, specifying the ordinance or regulation that imposes it and of the
10 penalty assessment imposed by s. ~~165.87~~ 757.05, the jail assessment imposed by s.
11 302.46 (1), the crime laboratories and drug law enforcement assessment imposed by
12 s. 165.755, any applicable consumer information assessment imposed by s. 100.261
13 and any applicable domestic abuse assessment imposed by s. 973.055 (1). If the
14 ordinance or regulation imposes a penalty or forfeiture for several offenses or
15 delinquencies the complaint shall specify the particular offenses or delinquency for
16 which the action is brought, with a demand for judgment for the amount of the
17 forfeiture, the penalty assessment imposed by s. ~~165.87~~ 757.05, the jail assessment
18 imposed by s. 302.46 (1), the crime laboratories and drug law enforcement
19 assessment imposed by s. 165.755, any applicable consumer information assessment
20 imposed by s. 100.261 and any applicable domestic abuse assessment imposed by s.
21 973.055 (1). All moneys collected on the judgment shall be paid to the treasurer of
22 the county, town, city, village or corporation, except that all jail assessments shall be
23 paid to the county treasurer.

24 **SECTION 3070.** 778.105 of the statutes is amended to read:

1 **778.105 Disposition of forfeitures.** Revenues from forfeitures imposed by
2 any court or any branch thereof for the violation of any municipal or county
3 ordinance shall be paid to the municipality or county. Penalty assessment payments
4 shall be made as provided in s. ~~165.87~~ 757.05. Jail assessment payments shall be
5 made as provided in s. 302.46 (1). Crime laboratories and drug law enforcement
6 assessment payments shall be paid as provided in s. 165.755. Domestic abuse
7 assessments shall be made as provided in s. 973.055. Consumer information
8 assessment payments shall be made as provided in s. 100.261.

9 **SECTION 3071.** 778.13 of the statutes is amended to read:

10 **778.13 Forfeitures collected, to whom paid.** All moneys collected in favor
11 of the state for forfeiture, except the portion to be paid to any person who sues with
12 the state, shall be paid by the officer who collects the forfeiture to the treasurer of the
13 county within which the forfeiture was incurred within 20 days after its receipt. In
14 case of any failure in the payment the county treasurer may collect the payment of
15 the officer by action, in the name of the office and upon the official bond of the officer,
16 with interest at the rate of 12% per year from the time when it should have been paid.
17 Penalty assessment payments shall be made as provided in s. ~~165.87~~ 757.05. Jail
18 assessment payments shall be made as provided in s. 302.46 (1). Crime laboratories
19 and drug law enforcement assessment payments shall be paid as provided in s.
20 165.755. Domestic abuse assessments shall be made as provided in s. 973.055.
21 Enforcement assessments shall be made as provided in s. 253.06 (4) (c). Consumer
22 information assessment payments shall be made as provided in s. 100.261.

23 **SECTION 3072.** 778.18 of the statutes is amended to read:

24 **778.18 Penalty upon municipal judge.** If any municipal judge, of his or her
25 own will, dismisses any action brought before the judge under this chapter, unless

1 by order of the district attorney or attorney general or the person joined as plaintiff
2 with the state, or renders a less judgment therein than is prescribed by law, or
3 releases or discharges any such judgment or part thereof without payment or
4 collection, the judge and the judge's sureties shall be liable, in an action upon the
5 judge's bond, for the full amount of the forfeitures imposed by law or of the forfeiture
6 imposed by the judge and for the penalty assessment imposed by s. ~~165.87~~ 757.05,
7 the jail assessment imposed by s. 302.46 (1), the crime laboratories and drug law
8 enforcement assessment imposed by s. 165.755, any applicable consumer
9 information assessment imposed by s. 100.261 and any applicable domestic abuse
10 assessment imposed by s. 973.055 (1), or for an amount equal to the amount in which
11 any such judgment or any part thereof is released or discharged. If any municipal
12 judge gives time or delay to any person against whom any such judgment is rendered
13 by the judge, or takes any bond or security for its future payment, the judge and the
14 judge's sureties shall also be liable for the payment of the judgment upon the judge's
15 bond.

16 **SECTION 3072g.** 778.25 (1) (a) 4. of the statutes is repealed.

17 **SECTION 3072m.** 779.85 (6) of the statutes is amended to read:

18 779.85 (6) "Prepayment" means any full or partial payment received by a seller
19 or an obligation incurred by a customer to a creditor or to a seller or to a seller's
20 assignee for maintenance to be performed by a seller if payment is made before the
21 maintenance is rendered or received. This term does not include prepayment for
22 maintenance under an insurance policy. Except with regard to a warranty under s.
23 ~~218.14~~ 101.953, this term does not include prepayment for maintenance to be
24 provided under a manufacturer's warranty on goods or maintenance unless there is

1 a prepayment made for maintenance to be rendered under the warranty separate
2 from the payment for the goods themselves.

3 **SECTION 3073m.** 800.01 (2) (a) of the statutes is amended to read:

4 800.01 (2) (a) Service under sub. (1) (a) shall be as provided in s. 801.11 or
5 968.04 (3) (b) 2. or by personal service by ~~a municipal employe~~ an adult who is a
6 resident of the state where the service is made but who is not a party to the action.

7 **SECTION 3074.** 800.02 (2) (a) 8. of the statutes is amended to read:

8 800.02 (2) (a) 8. Notice that if the defendant makes a deposit and fails to appear
9 in court at the time fixed in the citation, the defendant is deemed to have tendered
10 a plea of no contest and submits to a forfeiture, penalty assessment, jail assessment
11 and crime laboratories and drug law enforcement assessment, any applicable
12 consumer information assessment and any applicable domestic abuse assessment
13 plus costs, including the fee prescribed in s. 814.65 (1), not to exceed the amount of
14 the deposit. The notice shall also state that the court may decide to summon the
15 defendant rather than accept the deposit and plea.

16 **SECTION 3075.** 800.02 (3) (a) 5. of the statutes is amended to read:

17 800.02 (3) (a) 5. A plain and concise statement of the violation identifying the
18 event or occurrence from which the violation arose and showing that the plaintiff is
19 entitled to relief, the ordinance, resolution or bylaw upon which the cause of action
20 is based and a demand for a forfeiture, the amount of which shall not exceed the
21 maximum set by the statute involved, the penalty assessment, the jail assessment,
22 the crime laboratories and drug law enforcement assessment, any applicable
23 consumer information assessment, any applicable domestic abuse assessment and
24 such other relief that is sought by the plaintiff.

25 **SECTION 3075m.** 800.02 (4) (a) (intro.) of the statutes is amended to read:

1 800.02 **(4)** (a) (intro.) The summons shall be signed by a municipal judge or by
2 the attorney who is prosecuting the case in municipal court and shall contain the
3 following information:

4 **SECTION 3076.** 800.03 (3) of the statutes is amended to read:

5 800.03 **(3)** The amount of the deposit shall be set by the municipal judge, but
6 shall not be effective until approved by the governing body of the municipality. The
7 amount shall not exceed the maximum penalty for the offense, including any penalty
8 assessment that would be applicable under s. ~~165.87~~ 757.05, any jail assessment that
9 would be applicable under s. 302.46 (1), any crime laboratories and drug law
10 enforcement assessment that would be applicable under s. 165.755, any consumer
11 information assessment that would be applicable under s. 100.261 and any domestic
12 abuse assessment that would be applicable under s. 973.055 (1), plus court costs,
13 including the fee prescribed in s. 814.65 (1).

14 **SECTION 3077.** 800.04 (2) (b) of the statutes is amended to read:

15 800.04 **(2)** (b) If the municipal judge determines that the defendant should not
16 be released under par. (a) and the defendant is charged with a traffic or boating
17 violation, the municipal judge shall release the defendant on a deposit in the amount
18 established by the uniform deposit schedule under s. 345.26 (2) (a) or under s. 23.66.
19 For other violations, the municipal judge shall establish a deposit in an amount not
20 to exceed the maximum penalty for the offense, including any penalty assessment
21 that would be applicable under s. ~~165.87~~ 757.05, any jail assessment that would be
22 applicable under s. 302.46 (1), any crime laboratories and drug law enforcement
23 assessment that would be applicable under s. 165.755, any consumer information
24 assessment that would be applicable under s. 100.261 and any domestic abuse
25 assessment that would be applicable under s. 973.055 (1). If the judge in a 1st class

1 city determines that a defendant appearing before the judge through interactive
2 video and audio transmission should not be released under par. (a), the judge shall
3 inform the defendant that he or she has the right to appear personally before a judge
4 for a determination, not prejudiced by the first appearance, as to whether he or she
5 should be released without a deposit. On failure of the defendant to make a deposit
6 under this paragraph, he or she may be committed to jail pending trial only if the
7 judge finds that there is a reasonable basis to believe the person will not appear in
8 court.

9 **SECTION 3078.** 800.04 (2) (c) of the statutes is amended to read:

10 800.04 (2) (c) If the defendant has made a deposit under par. (b) or s. 800.03
11 and does not appear, he or she is deemed to have tendered a plea of no contest and
12 submits to a forfeiture, a penalty assessment imposed by s. ~~165.87~~ 757.05, a jail
13 assessment imposed by s. 302.46 (1), a crime laboratories and drug law enforcement
14 assessment imposed by s. 165.755, any applicable consumer information assessment
15 imposed by s. 100.261 and any applicable domestic abuse assessment imposed by s.
16 973.055 (1) plus costs, including the fee prescribed in s. 814.65 (1), not exceeding the
17 amount of the deposit. The court may either accept the plea of no contest and enter
18 judgment accordingly, or reject the plea and issue a summons. If the court finds that
19 the violation meets the conditions in s. 800.093 (1), the court may summon the
20 alleged violator into court to determine if restitution shall be ordered under s.
21 800.093. If the defendant fails to appear in response to the summons, the court shall
22 issue a warrant under s. 968.09. If the defendant has made a deposit but does appear,
23 the court shall allow the defendant to withdraw the plea of no contest.

24 **SECTION 3078g.** 800.04 (5) of the statutes is created to read:

1 800.04 (5) Unless good cause to the contrary is shown, appearances referred
2 to in this section may be conducted by telephone or by interactive video and audio
3 transmission, if available. If testimony is to be taken under oath, the proceeding
4 shall be reported by a court reporter who is in simultaneous voice communication
5 with all parties to the proceeding. Regardless of the physical location of any party
6 to the call, any plea, waiver, stipulation, motion, objection, decision, order or other
7 action taken by the court or any party shall have the same effect as if made in open
8 court. With the exceptions of scheduling conferences, pretrial conferences, and,
9 during hours the court is not in session, the proceeding shall be conducted in a
10 courtroom or other place reasonably accessible to the public. Simultaneous access
11 to the proceeding shall be provided to persons entitled to attend by means of a
12 loudspeaker or, upon request to the court, by making a person party to the telephone
13 call without charge. The court may permit a hearing under this section to be
14 conducted by telephone or by interactive video and audio transmission only if the
15 defendant consents. The defendant's consent may be made by telephone.

16 **SECTION 3079.** 800.09 (1) (intro.) of the statutes is amended to read:

17 800.09 (1) JUDGMENT. (intro.) If a municipal court finds a defendant guilty it
18 may render judgment by ordering restitution under s. 800.093 and payment of a
19 forfeiture, the penalty assessment imposed by s. ~~165.87~~ 757.05, the jail assessment
20 imposed by s. 302.46 (1), the crime laboratories and drug law enforcement
21 assessment imposed by s. 165.755, any applicable consumer information assessment
22 imposed by s. 100.261 and any applicable domestic abuse assessment imposed by s.
23 973.055 (1) plus costs of prosecution, including the fee prescribed in s. 814.65 (1). The
24 court shall apply any payment received on a judgment that includes restitution to
25 first satisfy any payment of restitution ordered, then to pay the forfeiture,

1 assessments and costs. If the judgment is not paid, the court may proceed under par.
2 (a), (b) or (c) or any combination of those paragraphs, as follows:

3 **SECTION 3080.** 800.09 (1) (a) of the statutes is amended to read:

4 800.09 (1) (a) The court may defer payment of any judgment or provide for
5 instalment payments. At the time the judgment is rendered, the court shall inform
6 the defendant, orally and in writing, of the date by which restitution and the
7 payment of the forfeiture, the penalty assessment, the jail assessment, the crime
8 laboratories and drug law enforcement assessment, any applicable consumer
9 information assessment and any applicable domestic abuse assessment plus costs
10 must be made, and of the possible consequences of failure to do so in timely fashion,
11 including imprisonment, as provided in s. 800.095, or suspension of the defendant's
12 motor vehicle operating privilege, as provided in par. (c), if applicable. If the
13 defendant is not present, the court shall ensure that the information is sent to the
14 defendant by mail. In 1st class cities, all of the written information required by this
15 paragraph shall be printed in English and Spanish and provided to each defendant.

16 **SECTION 3080mg.** 800.09 (1) (c) of the statutes is amended to read:

17 800.09 (1) (c) The court may suspend the defendant's operating privilege, as
18 defined in s. 340.01 (40), until restitution is made and the forfeiture, assessments
19 and costs are paid, if the defendant has not done so within 60 days after the date the
20 restitution or payments or both are to be made under par. (a) and has not notified the
21 court that he or she is unable to comply with the judgment, as provided under s.
22 800.095 (4) (a), except that the suspension period may not exceed 5 years. The court
23 shall take possession of the suspended license and shall forward the license, along
24 with a notice of the suspension clearly stating that the suspension is for failure to
25 comply with a judgment of the court, to the department of transportation. This

1 paragraph does not apply if the forfeiture is assessed for violation of an ordinance
2 that is unrelated to the violator's operation of a motor vehicle.

3 **SECTION 3082.** 800.09 (2) (b) of the statutes is amended to read:

4 800.09 (2) (b) If the person charged fails to appear personally or by an attorney
5 at the time fixed for hearing of the case, the defendant may be deemed to have
6 entered a plea of no contest and the money deposited, if any, or such portion thereof
7 as the court determines to be an adequate penalty, plus the penalty assessment, the
8 jail assessment, the crime laboratories and drug law enforcement assessment, any
9 applicable consumer information assessment and any applicable domestic abuse
10 assessment plus costs, including the fee prescribed in s. 814.65 (1), may be declared
11 forfeited by the court or may be ordered applied upon the payment of any penalty
12 which may be imposed, together with the penalty assessment, the jail assessment,
13 the crime laboratories and drug law enforcement assessment, any applicable
14 consumer information assessment and any applicable domestic abuse assessment
15 plus costs. If the court finds that the violation meets the conditions in s. 800.093 (1),
16 the court may summon the alleged violator into court to determine if restitution shall
17 be ordered under s. 800.093. Any money remaining after payment of any penalties,
18 assessments, costs and restitution shall be refunded to the person who made the
19 deposit.

20 **SECTION 3083m.** 800.095 (4) (b) 4. of the statutes is amended to read:

21 800.095 (4) (b) 4. That the defendant's operating privilege, as defined in s.
22 340.01 (40), be suspended until the judgment is complied with, except that the
23 suspension period may not exceed 5 years. This subdivision does not apply if the
24 forfeiture is assessed for violation of an ordinance that is unrelated to the violator's
25 operation of a motor vehicle.

1 **SECTION 3084.** 800.10 (2) of the statutes is amended to read:

2 800.10 **(2)** All forfeitures, fees, penalty assessments, crime laboratories and
3 drug law enforcement assessments, consumer information assessments, domestic
4 abuse assessments and costs paid to a municipal court under a judgment before a
5 municipal judge shall be paid to the municipal treasurer within 7 days after receipt
6 of the money by a municipal judge or other court personnel. At the time of the
7 payment, the municipal judge shall report to the municipal treasurer the title of the
8 action, the offense for which a forfeiture was imposed and the total amount of the
9 forfeiture, fees, penalty assessments, crime laboratories and drug law enforcement
10 assessments, consumer information assessments, domestic abuse assessments and
11 costs, if any. The treasurer shall disburse the fees as provided in s. 814.65 (1). All
12 jail assessments paid to a municipal court under a judgment before a municipal judge
13 shall be paid to the county treasurer within 7 days after receipt of the money by a
14 municipal judge or other court personnel.

15 **SECTION 3085.** 800.12 (2) of the statutes is amended to read:

16 800.12 **(2)** A municipality may by ordinance provide that a municipal judge
17 may impose a forfeiture for contempt under sub. (1) in an amount not to exceed \$50
18 or, upon nonpayment of the forfeiture, penalty assessment under s. ~~165.87~~ 757.05,
19 jail assessment under s. 302.46 ~~and~~, crime laboratories and drug law enforcement
20 assessment under s. 165.755, any applicable consumer information assessment
21 under s. 100.261 and any applicable domestic abuse assessment under s. 973.055 (1),
22 a jail sentence not to exceed 7 days.

23 **SECTION 3085c.** 802.12 (3) (d) 1. of the statutes is amended to read:

24 802.12 **(3)** (d) 1. Custody and physical placement under s. 767.24, 767.458 (3),
25 767.51 (3) or 767.62 (4) ~~(a)~~.

1 **SECTION 3085d.** 802.12 (3) (d) 3. of the statutes is amended to read:

2 802.12 **(3)** (d) 3. Child support under s. 767.25, 767.458 (3), 767.51 or 767.62
3 (4) ~~(a)~~.

4 **SECTION 3086.** 803.03 (2) (b) of the statutes is amended to read:

5 803.03 **(2)** (b) *Options after joinder.* Any party joined pursuant to par. (a) may
6 1. participate in the prosecution of the action, 2. agree to have his or her interest
7 represented by the party who caused the joinder, or 3. move for dismissal with or
8 without prejudice. If the party joined chooses to participate in the prosecution of the
9 action, the party joined shall have an equal voice with other claimants in such
10 prosecution. If Except as provided in par. (bm), if the party joined chooses to have
11 his or her interest represented by the party who caused the joinder, the party joined
12 shall sign a written waiver of the right to participate which shall express consent to
13 be bound by the judgment in the action. Such waiver shall become binding when filed
14 with the court, but a party may withdraw the waiver upon timely motion to the judge
15 to whom the case has been assigned with notice to the other parties. A party who
16 represents the interest of another party and who obtains a judgment favorable to
17 such other party may be awarded reasonable attorneys fees by the court. If the party
18 joined moves for dismissal without prejudice as to his or her claim, the party shall
19 demonstrate to the court that it would be unjust to require the party to prosecute the
20 claim with the principal claim. In determining whether to grant the motion to
21 dismiss, the court shall weigh the possible prejudice to the movant against the state's
22 interest in economy of judicial effort.

23 **SECTION 3087.** 803.03 (2) (bm) of the statutes is created to read:

24 803.03 **(2)** (bm) *Joinders because of implication of medical assistance.* If the
25 department of health and family services is joined as a party pursuant to par. (a) and

1 s. 49.89 (2) because of the provision of benefits under subch. IV of ch. 49, the
2 department of health and family services need not sign a waiver of the right to
3 participate in order to have its interests represented by the party that caused the
4 joinder. If the department of health and family services makes no selection under
5 par. (b), the party causing the joinder shall represent the interests of the department
6 of health and family services and the department of health and family services shall
7 be bound by the judgment in the action.

8 **SECTION 3087c.** 808.075 (4) (d) 11. of the statutes is amended to read:

9 808.075 (4) (d) 11. Enforcement or modification of assignments under s. 767.25
10 (4m), ~~or 767.265, 767.51 (3m) or 767.62 (4) (b) 3.~~

11 **SECTION 3088a.** 813.16 (7) of the statutes is amended to read:

12 813.16 (7) If the person seeking the appointment of a receiver under sub. (1)
13 is a corporation supervised by the division of savings ~~and loan~~ institutions, home
14 loan bank board, U.S. office of thrift supervision, federal deposit insurance
15 corporation or resolution trust corporation, the court, unless the opposing party
16 objects, shall appoint an officer of such corporation as receiver to act without
17 compensation and to give such bond as the court requires.

18 **SECTION 3089.** 814.03 (3) of the statutes is amended to read:

19 814.03 (3) Notwithstanding subs. (1) and (2), where the department of health
20 and family services or a county is joined as a plaintiff pursuant to ss. 49.89 (2) and
21 803.03 (2) (a) because of the provision of benefits under subch. IV of ch. 49, ~~and where~~
22 ~~the interests of the department of health and family services or of the county are~~
23 ~~represented under s. 803.03 (2) (b) by the party who caused the joinder, the~~
24 department of health and family services or the county shall not be liable for costs
25 to any prevailing defendant.

1 **SECTION 3094.** 814.60 (2) (a) of the statutes is amended to read:

2 814.60 (2) (a) Penalty assessment imposed by s. ~~165.87~~ 757.05;

3 **SECTION 3095.** 814.60 (2) (ai) of the statutes is created to read:

4 814.60 (2) (ai) Consumer information assessment imposed by s. 100.261.

5 **SECTION 3095n.** 814.61 (1) (c) 4. of the statutes is created to read:

6 814.61 (1) (c) 4. An action to terminate parental rights under subch. VIII of ch.

7 48.

8 **SECTION 3095p.** 814.61 (1) (c) 5. of the statutes is created to read:

9 814.61 (1) (c) 5. An action for adoption under subch. XIX of ch. 48.

10 **SECTION 3096m.** 814.615 (1) (a) 3. of the statutes is amended to read:

11 814.615 (1) (a) 3. For a study under s. 767.11 (14), a fee of ~~\$300~~ \$500.

12 **SECTION 3097.** 814.63 (3) (a) of the statutes is amended to read:

13 814.63 (3) (a) Penalty assessment imposed by s. ~~165.87~~ 757.05.

14 **SECTION 3098.** 814.63 (3) (ai) of the statutes is created to read:

15 814.63 (3) (ai) Consumer information assessment imposed by s. 100.261.

16 **SECTION 3099.** 814.635 (1) of the statutes is amended to read:

17 814.635 (1) Except for an action for a safety belt use violation under s. 347.48

18 (2m), the clerk of circuit court shall charge and collect a ~~\$7~~ \$9 justice information

19 system fee from any person, including any governmental unit as defined in s. 108.02

20 (17), paying a fee under s. 814.61 (1) (a), (3) or (8) (am), 814.62 (1), (2) or (3) (a) or (b)

21 or 814.63 (1). The justice information system fee is in addition to the other fees listed

22 in this section.

23 **SECTION 3101.** 815.18 (3) (o) of the statutes is amended to read:

24 815.18 (3) (o) *Tuition units.* Tuition units purchased under s. ~~16.24~~ 14.63.

25 **SECTION 3101m.** 823.08 (3) (c) 2. of the statutes is amended to read:

1 823.08 (3) (c) 2. If the agricultural use or agricultural practice alleged to be a
2 nuisance was begun before October 14, 1997, a department may advise the court
3 under subd. 1. only if the department determines that cost-sharing is available to
4 the defendant under s. 92.14, ~~281.16 (5)~~ or 281.65 or from any other source.

5 **SECTION 3102.** 859.02 (2) (a) of the statutes is amended to read:

6 859.02 (2) (a) It is a claim based on tort, on a marital property agreement that
7 is subject to the time limitations under s. 766.58 (13) (b) or (c), on Wisconsin income,
8 franchise, sales, withholding, gift or death taxes, or on unemployment insurance
9 contributions due or benefits overpaid; a claim for funeral or administrative
10 expenses; a claim of this state under s. 46.27 (7g), 49.496 or 49.682 or rules
11 promulgated under s. 46.286 (7); or a claim of the United States; or

12 **SECTION 3103.** 859.07 (2) of the statutes is amended to read:

13 859.07 (2) If the decedent was at the time of death or at any time prior thereto
14 a patient or inmate of any state or county hospital or institution or any person
15 responsible for any obligation owing to the state or county under s. 46.03 (18), 46.10,
16 48.36, 301.03 (18), 301.12 or 938.36 or if the decedent or the spouse of the decedent
17 ever received the family care benefit under s. 46.286, medical assistance under
18 subch. IV of ch. 49, long-term community support services funded under s. 46.27 (7)
19 or aid under s. 49.68, 49.683 or 49.685, the personal representative shall send notice
20 in writing of the date set under s. 859.01 by registered or certified mail to the
21 department of health and family services or the department of corrections, as
22 applicable, and the county clerk of the applicable county not less than 30 days before
23 the date set under s. 859.01, upon such blanks and containing such information as
24 the applicable department or county clerk may provide. The applicable county is the
25 county of residence, as defined in s. 49.001 (6).

1 **SECTION 3104.** 867.01 (3) (a) 4. of the statutes is amended to read:

2 867.01 (3) (a) 4. Whether the decedent or the decedent's spouse received the
3 family care benefit under s. 46.286, medical assistance under subch. IV of ch. 49,
4 long-term community support services funded under s. 46.27 (7) or aid under s.
5 49.68, 49.683 or 49.685.

6 **SECTION 3105.** 867.01 (3) (d) of the statutes is amended to read:

7 867.01 (3) (d) *Notice.* The court may hear the matter without notice or order
8 notice to be given under s. 879.03. If the decedent or the decedent's spouse received
9 the family care benefit under s. 46.286, medical assistance under subch. IV of ch. 49,
10 long-term community support services funded under s. 46.27 (7) or aid under s.
11 49.68, 49.683 or 49.685, the petitioner shall give notice by certified mail to the
12 department of health and family services as soon as practicable after filing the
13 petition with the court.

14 **SECTION 3106.** 867.02 (2) (a) 6. of the statutes is amended to read:

15 867.02 (2) (a) 6. Whether the decedent or the decedent's spouse received the
16 family care benefit under s. 46.286, medical assistance under subch. IV of ch. 49,
17 long-term community support services funded under s. 46.27 (7) or aid under s.
18 49.68, 49.683 or 49.685.

19 **SECTION 3107.** 867.03 (1g) (c) of the statutes is amended to read:

20 867.03 (1g) (c) Whether the decedent or the decedent's spouse ever received the
21 family care benefit under s. 46.286, medical assistance under subch. IV of ch. 49,
22 long-term community support services funded under s. 46.27 (7) or aid under s.
23 49.68, 49.683 or 49.685.

24 **SECTION 3108.** 867.03 (1m) (a) of the statutes is amended to read:

1 867.03 **(1m)** (a) Whenever an heir or person who was guardian of the decedent
2 at the time of the decedent's death intends to transfer a decedent's property by
3 affidavit under sub. (1g) and the decedent or the decedent's spouse ever received the
4 family care benefit under s. 46.286, medical assistance under subch. IV of ch. 49,
5 long-term community support services funded under s. 46.27 (7) or aid under s.
6 49.68, 49.683 or 49.685, the heir or person who was guardian of the decedent at the
7 time of the decedent's death shall give notice to the department of health and family
8 services of his or her intent. The notice shall include the information in the affidavit
9 under sub. (1g) and the heir or person who was guardian of the decedent at the time
10 of the decedent's death shall give the notice by certified mail, return receipt
11 requested.

12 **SECTION 3109.** 867.03 (1m) (b) of the statutes is amended to read:

13 867.03 **(1m)** (b) An heir or person who was guardian of the decedent at the time
14 of the decedent's death who files an affidavit under sub. (1g) that states that the
15 decedent or the decedent's spouse received the family care benefit under s. 46.286,
16 medical assistance under subch. IV of ch. 49, long-term community support services
17 funded under s. 46.27 (7) or aid under s. 49.68, 49.683 or 49.685 shall attach to the
18 affidavit the proof of mail delivery of the notice required under par. (a) showing a
19 delivery date that is not less than 10 days before the day on which the heir or person
20 who was guardian of the decedent at the time of the decedent's death files the
21 affidavit.

22 **SECTION 3110.** 867.035 (1) (a) (intro.) of the statutes is amended to read:

23 867.035 **(1)** (a) (intro.) Except as provided in par. (bm), the department of
24 health and family services may collect from the property of a decedent, including
25 funds of a decedent that are held by the decedent immediately before death in a joint

1 account or a P.O.D. account, by affidavit under this section an amount equal to the
2 medical assistance that is recoverable under s. 49.496 (3) (a), the long-term
3 community support services under s. 46.27 that is recoverable under s. 46.27 (7g) (c)
4 1., the family care benefit that is recoverable under rules promulgated under s.
5 46.286 (7) or the aid under s. 49.68, 49.683 or 49.685 that is recoverable under s.
6 49.682 (2) (a) and that was paid on behalf of the decedent or the decedent's spouse,
7 if all of the following conditions are satisfied:

8 **SECTION 3111.** 867.035 (4) of the statutes is amended to read:

9 867.035 (4) From the appropriation under s. 20.435 (5) (4) (im), with respect
10 to funds collected by the department under sub. (1) related to medical assistance paid
11 on behalf of the decedent or the decedent's spouse, the department of health and
12 family services shall pay claims under sub. (3), shall pay to the federal government
13 from the amount recovered under this section and not paid out as claims under sub.
14 (3) an amount equal to the amount of federal funds used to pay the benefits recovered
15 under this section and shall spend the remainder of the amount recovered under this
16 section for medical assistance benefits under subch. IV of ch. 49.

17 **SECTION 3111g.** 880.155 (2) of the statutes is amended to read:

18 880.155 (2) If one or both parents of a minor child are deceased and the child
19 is in the custody of the surviving parent or any other person, a grandparent or
20 stepparent of the child may petition for visitation privileges with respect to the child,
21 whether or not the person with custody is married. The grandparent or stepparent
22 may file the petition in a guardianship or temporary guardianship proceeding under
23 this chapter that affects the minor child or may file the petition to commence an
24 independent action under this chapter. The Except as provided in sub. (3m), the
25 court may grant reasonable visitation privileges to the grandparent or stepparent if

1 the surviving parent or other person who has custody of the child has notice of the
2 hearing and if the court determines that visitation is in the best interest of the child.

3 **SECTION 3111j.** 880.155 (3m) of the statutes is created to read:

4 880.155 (3m) (a) Except as provided in par. (b), the court may not grant
5 visitation privileges to a grandparent or stepparent under this section if the
6 grandparent or stepparent has been convicted under s. 940.01 of the first-degree
7 intentional homicide, or under s. 940.05 of the 2nd-degree intentional homicide, of
8 a parent of the child, and the conviction has not been reversed, set aside or vacated.

9 (b) Paragraph (a) does not apply if the court determines by clear and convincing
10 evidence that the visitation would be in the best interests of the child. The court shall
11 consider the wishes of the child in making the determination.

12 **SECTION 3111m.** 880.155 (4m) of the statutes is created to read:

13 880.155 (4m) (a) If a grandparent or stepparent granted visitation privileges
14 with respect to a child under this section is convicted under s. 940.01 of the
15 first-degree intentional homicide, or under s. 940.05 of the 2nd-degree intentional
16 homicide, of a parent of the child, and the conviction has not been reversed, set aside
17 or vacated, the court shall modify the visitation order by denying visitation with the
18 child upon petition, motion or order to show cause by a person having custody of the
19 child, or upon the court's own motion, and upon notice to the grandparent or
20 stepparent granted visitation privileges.

21 (b) Paragraph (a) does not apply if the court determines by clear and convincing
22 evidence that the visitation would be in the best interests of the child. The court shall
23 consider the wishes of the child in making the determination.

24 **SECTION 3111p.** 880.157 of the statutes is created to read:

1 **880.157 Prohibiting visitation or physical placement if a parent kills**
2 **other parent. (1)** Except as provided in sub. (2), in an action under this chapter
3 that affects a minor child, a court may not grant to a parent of the child visitation or
4 physical placement rights with the child if the parent has been convicted under s.
5 940.01 of the first-degree intentional homicide, or under s. 940.05 of the 2nd-degree
6 intentional homicide, of the child's other parent, and the conviction has not been
7 reversed, set aside or vacated.

8 **(2)** Subsection (1) does not apply if the court determines by clear and
9 convincing evidence that visitation or periods of physical placement would be in the
10 best interests of the child. The court shall consider the wishes of the child in making
11 the determination.

12 **SECTION 3111r.** 891.455 (4) of the statutes is created to read:

13 **891.455 (4)** The presumption under sub. (2) for cancers caused by smoking or
14 tobacco product use shall not apply to any municipal fire fighter who smokes
15 cigarettes, as defined in s. 139.30 (1), or who uses a tobacco product, as defined in s.
16 139.75 (12), after January 1, 2001.

17 **SECTION 3111s.** 895.035 (4) of the statutes is amended to read:

18 **895.035 (4)** Except for recovery under sub. (4a) or for retail theft under s.
19 943.51, the maximum recovery under this section from any parent or parents may
20 not exceed the amount specified in s. 799.01 (1) (d) for damages resulting from any
21 one act of a juvenile in addition to taxable costs and disbursements and reasonable
22 attorney fees, as determined by the court. If 2 or more juveniles in the custody of the
23 same parent or parents commit the same act the total recovery under this section
24 may not exceed the amount specified in s. 799.01 (1) (d), in addition to taxable costs

1 and disbursements. The maximum recovery from any parent or parents for retail
2 theft by their minor child is established under s. 943.51.

3 **SECTION 3111t.** 895.035 (4a) of the statutes is created to read:

4 895.035 (4a) (a) The maximum recovery under this section by a school board
5 or a governing body of a private school from any parent or parents with custody of
6 a minor child may not exceed \$20,000 for damages resulting from any one act of the
7 minor child in addition to taxable costs and disbursements and reasonable attorney
8 fees, as determined by the court, for damages caused to the school board or the
9 governing body of a private school by any of the following actions of the minor child:

10 1. An act or threat that endangers the property, health or safety of persons at
11 the school or under the supervision of a school authority or that damages the
12 property of a school board or the governing body of a private school and that results
13 in a substantial disruption of a school day or a school activity.

14 2. An act resulting in a violation of s. 943.01, 943.02, 943.03, 943.05, 943.06 or
15 947.015.

16 (b) In addition to other recoverable damages, damages under par. (a) may
17 include the cost to the school board or the governing body of a private school in loss
18 of instructional time directly resulting from the action of the minor child under par.
19 (a).

20 (c) If 2 or more minor children in the custody of the same parent or parents are
21 involved in the same action under par. (a), the total recovery may not exceed \$20,000,
22 in addition to taxable costs, disbursements and reasonable attorney fees, as
23 determined by the court.

1 (d) If an insurance policy does not explicitly provide coverage for actions under
2 par. (a), the issuer of that policy is not liable for the damages resulting from those
3 actions.

4 **SECTION 3113g.** 895.48 (1m) (intro.) of the statutes, as affected by 1997
5 Wisconsin Acts 67 and 156, is amended to read:

6 895.48 (1m) (intro.) Any physician or athletic trainer licensed under ch. 448,
7 chiropractor licensed under ch. 446, dentist licensed under ch. 447, emergency
8 medical technician licensed under s. 146.50, physician assistant licensed under ch.
9 448, registered nurse licensed under ch. 441 or a massage therapist or bodyworker
10 issued a license of registration under subch. X of ch. 440 who renders voluntary
11 health care to a participant in an athletic event or contest sponsored by a nonprofit
12 corporation, as defined in s. 46.93 (1m) (c), a private school, as defined in s. 115.001
13 (3r), a public agency, as defined in s. 46.93 (1m) (e), or a school, as defined in s. 609.655
14 (1) (c), is immune from civil liability for his or her acts or omissions in rendering that
15 care if all of the following conditions exist:

16 **SECTION 3113m.** 895.48 (1m) (b) of the statutes, as affected by 1997 Wisconsin
17 Act 156, is amended to read:

18 895.48 (1m) (b) The physician, athletic trainer, chiropractor, dentist,
19 emergency medical technician, physician assistant, registered nurse, massage
20 therapist or bodyworker does not receive compensation for the health care, other
21 than reimbursement for expenses.

22 **SECTION 3113n.** 895.505 of the statutes is created to read:

23 **895.505 Disposal of records containing personal information. (1)**

24 DEFINITIONS. In this section:

25 (a) “Credit card” has the meaning given in s. 421.301 (15).

1 (am) “Dispose” does not include a sale of a record or the transfer of a record for
2 value.

3 (b) “Financial institution” means any bank, savings bank, savings and loan
4 association or credit union that is authorized to do business under state or federal
5 laws relating to financial institutions, any issuer of a credit card or any investment
6 company.

7 (c) “Investment company” has the meaning given in s. 180.0103 (11e).

8 (d) “Medical business” means any organization or enterprise operated for profit
9 or not for profit, including a sole proprietorship, partnership, firm, business trust,
10 joint venture, syndicate, corporation, limited liability company or association, that
11 possesses information, other than personnel records, relating to a person’s physical
12 or mental health, medical history or medical treatment.

13 (e) “Personal information” means any of the following:

14 1. Personally identifiable data about an individual’s medical condition, if the
15 data are not generally considered to be public knowledge.

16 2. Personally identifiable data that contain an individual’s account or customer
17 number, account balance, balance owing, credit balance or credit limit, if the data
18 relate to an individual’s account or transaction with a financial institution.

19 3. Personally identifiable data provided by an individual to a financial
20 institution upon opening an account or applying for a loan or credit.

21 4. Personally identifiable data about an individual’s federal, state or local tax
22 returns.

23 (f) “Personally identifiable” means capable of being associated with a particular
24 individual through one or more identifiers or other information or circumstances.

1 (g) “Record” means any material on which written, drawn, printed, spoken,
2 visual or electromagnetic information is recorded or preserved, regardless of
3 physical form or characteristics.

4 (h) “Tax preparation business” means any organization or enterprise operated
5 for profit, including a sole proprietorship, partnership, firm, business trust, joint
6 venture, syndicate, corporation, limited liability company or association, that for a
7 fee prepares an individual’s federal, state or local tax returns or counsels an
8 individual regarding the individual’s federal, state or local tax returns.

9 **(2) DISPOSAL OF RECORDS CONTAINING PERSONAL INFORMATION.** A financial
10 institution, medical business or tax preparation business may not dispose of a record
11 containing personal information unless the financial institution, medical business,
12 tax preparation business or other person under contract with the financial
13 institution, medical business or tax preparation business does any of the following:

14 (a) Shreds the record before the disposal of the record.

15 (b) Erases the personal information contained in the record before the disposal
16 of the record.

17 (c) Modifies the record to make the personal information unreadable before the
18 disposal of the record.

19 (d) Takes actions that it reasonably believes will ensure that no unauthorized
20 person will have access to the personal information contained in the record for the
21 period between the record’s disposal and the record’s destruction.

22 **(3) CIVIL LIABILITY; DISPOSAL AND USE.** (a) A financial institution, medical
23 business or tax preparation business is liable to a person whose personal information
24 is disposed of in violation of sub. (2) for the amount of damages resulting from the
25 violation.

1 (b) Any person who, for any purpose, uses personal information contained in
2 a record that was disposed of by a financial institution, medical business or tax
3 preparation business is liable to an individual who is the subject of the information
4 and to the financial institution, medical business or tax preparation business that
5 disposed of the record for the amount of damages resulting from the person's use of
6 the information. This paragraph does not apply to a person who uses personal
7 information with the authorization or consent of the individual who is the subject of
8 the information.

9 **(4) PENALTIES; DISPOSAL AND USE.** (a) A financial institution, medical business
10 or tax preparation business that violates sub. (2) may be required to forfeit not more
11 than \$1,000. Acts arising out of the same incident or occurrence shall be a single
12 violation.

13 (b) Any person who possesses a record that was disposed of by a financial
14 institution, medical business or tax preparation business and who intends to use, for
15 any purpose, personal information contained in the record may be fined not more
16 than \$1,000 or imprisoned for not more than 90 days or both. This paragraph does
17 not apply to a person who possesses a record with the authorization or consent of the
18 individual whose personal information is contained in the record.

19 **SECTION 3113p.** 895.58 of the statutes is created to read:

20 **895.58 Liability exemption; use of special waste under public works**
21 **contracts. (1)** In this section:

22 (a) "Department" means the department of natural resources.

23 (b) "Local governmental unit" means a political subdivision of this state, a
24 special purpose district in this state, an agency or corporation of such a political

1 subdivision or special purpose district, or a combination or subunit of any of the
2 foregoing.

3 (c) “Public works project” means any work done under contract to a state agency
4 or local governmental unit.

5 (d) “Special waste” means any solid waste which is characterized for beneficial
6 use in public works projects by the department of natural resources.

7 **(2)** The department may characterize a solid waste for beneficial use in public
8 works projects by rule, memorandum of understanding between itself and other
9 state agencies or local governmental units, or on a case-by-case basis. The
10 department shall compile and maintain a list of special wastes in a format readily
11 available to the general public and only those special wastes may be required by
12 contracting agencies to be used in a public works project.

13 **(3)** Special waste, when used in a public works project, is not subject to
14 regulation as solid waste under ch. 289.

15 **(4)** A person is immune from liability for the use of special waste on a public
16 works project or for damages resulting from the person’s actions or omissions
17 relating to the use of the special waste on a public works project if all of the following
18 apply:

19 (a) The acts or omissions by the person occurred while performing work under
20 a contract for a public works project including acts or omissions by any person who
21 has a direct contractual relationship with the prime contractor, as defined in s.
22 779.01 (2) (d), under a contract for a public works project to perform labor or furnish
23 materials.

1 (b) The acts or omissions involving the special wastes were required or
2 permitted in a contract for a public works project and the acts or omissions conformed
3 to the provisions of the contract.

4 (5) Subsection (4) does not apply to any person to whom either of the following
5 applies:

6 (a) The person's act or omission involved reckless, wanton or intentional
7 misconduct.

8 (b) The person's act or omission resulted in injury or death to an individual.

9 **SECTION 3115.** 938.02 (6) of the statutes is amended to read:

10 938.02 (6) "Foster home" means any facility that is operated by a person
11 required to be licensed by s. 48.62 (1) (a) and that provides care and maintenance for
12 no more than 4 juveniles ~~unless all of the juveniles are siblings or, if necessary to~~
13 enable a sibling group to remain together, for no more than 6 juveniles or, if the
14 department of health and family services promulgates rules permitting a different
15 number of juveniles, for the number of juveniles permitted under those rules.

16 **SECTION 3116.** 938.02 (14m) of the statutes is amended to read:

17 938.02 (14m) "Pupil assistance program" means a program provided by a
18 school board under s. ~~115.362 (4) (b) 2.~~ 115.361 to intervene in the abuse of alcohol
19 and other drugs by pupils.

20 **SECTION 3117d.** 938.02 (15g) of the statutes is amended to read:

21 938.02 (15g) "Secured child caring institution" means a child caring institution
22 operated by a child welfare agency that is licensed under s. 48.66 (1) (b) to hold in
23 secure custody persons adjudged delinquent.

24 **SECTION 3118d.** 938.02 (15m) of the statutes is amended to read:

1 938.02 (15m) “Secured correctional facility” means a correctional institution
2 operated or contracted for by the department of corrections or operated by the
3 department of health and family services for holding in secure custody persons
4 adjudged delinquent. “Secured correctional facility” includes the Mendota juvenile
5 treatment center under s. 46.057, the facility at which the juvenile boot camp
6 program under s. 938.532 is operated, and a facility authorized under s. 938.533 (3)
7 (b), 938.538 (4) (b) or 938.539 (5).

8 **SECTION 3119d.** 938.02 (15p) of the statutes is created to read:

9 938.02 (15p) “Secured group home” means a group home that is licensed under
10 s. 48.66 (1) (b) to hold in secure custody persons who have been convicted under s.
11 938.183 or adjudicated delinquent under s. 938.183 or 938.34 (4m).

12 **SECTION 3120d.** 938.02 (17) of the statutes is amended to read:

13 938.02 (17) “Shelter care facility” means a nonsecure place of temporary care
14 and physical custody for juveniles, including a holdover room, licensed by the
15 department of health and family services under s. 48.66 (1) (a).

16 **SECTION 3123d.** 938.069 (1) (dj) of the statutes is amended to read:

17 938.069 (1) (dj) Provide aftercare services for a juvenile who has been released
18 from a secured correctional facility ~~or~~, a secured child caring institution or a secured
19 group home.

20 **SECTION 3124d.** 938.08 (3) (a) (intro.) of the statutes is amended to read:

21 938.08 (3) (a) (intro.) In addition to the law enforcement authority specified in
22 sub. (2), department personnel designated by the department ~~and~~, personnel of an
23 agency contracted with under s. 301.08 (1) (b) 3. designated by agreement between
24 the agency and the department and personnel of a county contracted with under s.
25 301.08 (1) (b) 4. designated by agreement between the county and the department

1 have the power of law enforcement authorities to take a juvenile into physical
2 custody under the following conditions:

3 **SECTION 3125d.** 938.08 (3) (a) 1. of the statutes is amended to read:

4 938.08 (3) (a) 1. If they are in prompt pursuit of a juvenile who has run away
5 from a secured correctional facility ~~or~~ a child caring institution or a secured group
6 home.

7 **SECTION 3126d.** 938.08 (3) (a) 2. of the statutes is amended to read:

8 938.08 (3) (a) 2. If the juvenile has failed to return to a secured correctional
9 facility ~~or~~ a child caring institution or a secured group home after any authorized
10 absence.

11 **SECTION 3127d.** 938.08 (3) (b) of the statutes is amended to read:

12 938.08 (3) (b) A juvenile who is taken into custody under par. (a) may be
13 returned directly to the secured correctional facility ~~or~~ child caring institution or
14 secured group home and shall have a hearing regarding placement in a disciplinary
15 cottage or in disciplinary status in accordance with ch. 227.

16 **SECTION 3128d.** 938.17 (1) (c) of the statutes is amended to read:

17 938.17 (1) (c) If the court of civil or criminal jurisdiction orders the juvenile to
18 serve a period of incarceration of 6 months or more, that court shall petition the court
19 assigned to exercise jurisdiction under this chapter and ch. 48 to order one or more
20 of the dispositions provided in s. 938.34, including placement of the juvenile in a
21 secured correctional facility, a secured child caring institution or a secured group
22 home under s. 938.34 (4m), if appropriate.

23 **SECTION 3129b.** 938.17 (2) (d) of the statutes is amended to read:

24 938.17 (2) (d) If a municipal court finds that the juvenile violated a municipal
25 ordinance other than an ordinance enacted under s. 118.163 or an ordinance that

1 conforms to s. 125.07 (4) (a) or (b), 125.085 (3) (b), 125.09 (2), 961.573 (2), 961.574 (2)
2 or 961.575 (2), the court shall enter any of the dispositional orders permitted under
3 s. 938.343 that are authorized under par. (cm). If a juvenile fails to pay the forfeiture
4 imposed by the municipal court, the court may not impose a jail sentence but may
5 suspend any license issued under ch. 29 for not less than 30 days nor more than 5
6 years, or, unless the forfeiture was imposed for violating an ordinance unrelated to
7 the juvenile's operation of a motor vehicle, may suspend the juvenile's operating
8 privilege, as defined in s. 340.01 (40), for not less than 30 days nor more than 5 years.
9 If a court suspends a license or privilege under this section, the court shall
10 immediately take possession of the applicable license and forward it to the
11 department that issued the license, together with the notice of suspension clearly
12 stating that the suspension is for failure to pay a forfeiture imposed by the court. If
13 the forfeiture is paid during the period of suspension, the court shall immediately
14 notify the department, which shall thereupon return the license to the person.

15 **SECTION 3130d.** 938.183 (1) (a) of the statutes is amended to read:

16 938.183 (1) (a) A juvenile who has been adjudicated delinquent and who is
17 alleged to have violated s. 940.20 (1) or 946.43 while placed in a secured correctional
18 facility, a secure detention facility ~~or~~, a secured child caring institution or a secured
19 group home or who has been adjudicated delinquent and who is alleged to have
20 committed a violation of s. 940.20 (2m).

21 **SECTION 3130m.** 938.20 (8) of the statutes is amended to read:

22 938.20 (8) If a juvenile is held in custody, the intake worker shall notify the
23 juvenile's parent, guardian and legal custodian of the reasons for holding the juvenile
24 in custody and of the juvenile's whereabouts unless there is reason to believe that
25 notice would present imminent danger to the juvenile. If a juvenile who has violated

1 the terms of aftercare supervision administered by the department or a county
2 department is held in custody, the intake worker shall also notify the department or
3 county department, whichever has supervision over the juvenile, of the reasons for
4 holding the juvenile in custody, of the juvenile's whereabouts and of the time and
5 place of the detention hearing required under s. 938.21. The parent, guardian and
6 legal custodian shall also be notified of the time and place of the detention hearing
7 required under s. 938.21, the nature and possible consequences of that hearing, the
8 right to counsel under s. 938.23 regardless of ability to pay and the right to present
9 and cross-examine witnesses at the hearing. If the parent, guardian or legal
10 custodian is not immediately available, the intake worker or another person
11 designated by the court shall provide notice as soon as possible. When the juvenile
12 is alleged to have committed a delinquent act, the juvenile shall receive the same
13 notice about the detention hearing as the parent, guardian or legal custodian. The
14 intake worker shall notify both the juvenile and the juvenile's parent, guardian or
15 legal custodian.

16 **SECTION 3130p.** 938.207 (1) (a) of the statutes is amended to read:

17 938.207 (1) (a) The home of a parent or guardian, except that a juvenile may
18 not be held in the home of a parent or guardian if the parent or guardian has been
19 convicted under s. 940.01 of the first-degree intentional homicide, or under s. 940.05
20 of the 2nd-degree intentional homicide, of a parent of the juvenile, and the conviction
21 has not been reversed, set aside or vacated, unless the person making the custody
22 decision determines by clear and convincing evidence that the placement would be
23 in the best interests of the juvenile. The person making the custody decision shall
24 consider the wishes of the juvenile in making that determination.

25 **SECTION 3130r.** 938.207 (1) (b) of the statutes is amended to read:

1 938.207 (1) (b) The home of a relative, except that a juvenile may not be held
2 in the home of a relative if the relative has been convicted under s. 940.01 of the
3 first-degree intentional homicide, or under s. 940.05 of the 2nd-degree intentional
4 homicide, of a parent of the juvenile, and the conviction has not been reversed, set
5 aside or vacated, unless the person making the custody decision determines by clear
6 and convincing evidence that the placement would be in the best interests of the
7 juvenile. The person making the custody decision shall consider the wishes of the
8 juvenile in making that determination.

9 **SECTION 3131d.** 938.208 (2) of the statutes is amended to read:

10 938.208 (2) Probable cause exists to believe that the juvenile is a fugitive from
11 another state or has run away from a secured correctional facility, a secured child
12 caring institution or a secured group home and there has been no reasonable
13 opportunity to return the juvenile.

14 **SECTION 3131m.** 938.21 (3) (d) of the statutes is amended to read:

15 938.21 (3) (d) Prior to the commencement of the hearing, the parent, guardian
16 or legal custodian shall be informed by the court of the allegations that have been
17 made or may be made, the nature and possible consequences of this hearing as
18 compared to possible future hearings, the right to counsel under s. 938.23 regardless
19 of ability to pay, the right to confront and cross-examine witnesses and the right to
20 present witnesses.

21 **SECTION 3132d.** 938.22 (title) of the statutes is amended to read:

22 **938.22 (title) Establishment of secure detention facilities and shelter**
23 **care county or private juvenile facilities.**

24 **SECTION 3133d.** 938.22 (1) (a) of the statutes is amended to read:

1 938.22 (1) (a) Subject to s. 48.66 (1) (b), the county board of supervisors of any
2 county may establish a secured group home or a secure detention facility in
3 accordance with ss. 301.36 and 301.37 or the county boards of supervisors for 2 or
4 more counties may jointly establish a secured group home or a secure detention
5 facility in accordance with ss. 46.20, 301.36 and 301.37. The county board of
6 supervisors of any county may establish a secure detention facility ~~or a shelter care~~
7 ~~facility or both~~ in accordance with ss. 46.16 and 46.17 or the county boards of
8 supervisors for 2 or more counties may jointly establish a secure detention facility
9 ~~or a shelter care facility or both~~ in accordance with ss. 46.16, 46.17 and 46.20 and
10 301.36. A private entity may establish a secure detention facility in accordance with
11 ss. 301.36 and 301.37 and contract with one or more county boards of supervisors
12 under s. 938.222 for holding juveniles in the private secure detention facility.

13 **SECTION 3134d.** 938.22 (1) (b) of the statutes is amended to read:

14 938.22 (1) (b) Subject to sub. (3) (ar), in counties having a population of less
15 than 500,000, the nonjudicial operational policies of a public secured group home,
16 secure detention facility or shelter care facility shall be determined by the county
17 board of supervisors or, in the case of a public secured group home, secure detention
18 facility or shelter care facility established by 2 or more counties, by the county boards
19 of supervisors for the 2 or more counties jointly. Those policies shall be executed by
20 the superintendent appointed under sub. (3) (a).

21 **SECTION 3135d.** 938.22 (1) (c) of the statutes is amended to read:

22 938.22 (1) (c) In counties having a population of 500,000 or more, the
23 nonjudicial operational policies of a public secured group home, secure detention
24 facility and the detention section of the children's court center shall be established

1 by the county board of supervisors, and the execution thereof shall be the
2 responsibility of the director of the children's court center.

3 **SECTION 3136d.** 938.22 (2) (a) of the statutes is amended to read:

4 938.22 **(2)** (a) Counties shall submit plans for the secured group home, secure
5 detention facility or juvenile portion of the county jail to the department of
6 corrections and submit plans for the shelter care facility to the department of health
7 and family services. A private entity that proposes to establish a secure detention
8 facility shall submit plans for the secure detention facility to the department of
9 corrections. The applicable department shall review the submitted plans. A county
10 or a private entity may not implement any such plan unless the applicable
11 department has approved the plan. The department of corrections shall promulgate
12 rules establishing minimum requirements for the approval of the operation of
13 secured group homes, secure detention facilities and the juvenile portion of county
14 jails. The plans and rules shall be designed to protect the health, safety and welfare
15 of the juveniles ~~in these~~ placed in those facilities.

16 **SECTION 3137d.** 938.22 (3) (a) of the statutes is amended to read:

17 938.22 **(3)** (a) In counties having a population of less than 500,000, public
18 secured group homes, secure detention facilities and public shelter care facilities
19 shall be in the charge of a superintendent. The county board of supervisors or, where
20 2 or more counties operate joint public secured group homes, secure detention
21 facilities or public shelter care facilities, the county boards of supervisors for the 2
22 or more counties jointly shall appoint the superintendent and other necessary
23 personnel for the care and education of the juveniles ~~in secure detention or shelter~~
24 care placed in those facilities, subject to par. (am) and to civil service regulations in
25 counties having civil service.

1 **SECTION 3138d.** 938.22 (3) (b) of the statutes is amended to read:

2 938.22 **(3)** (b) In counties having a population of 500,000 or more, the director
3 of the children's court center shall be in charge of and responsible for public secured
4 group homes, secure detention facilities, the secure detention section of the center
5 and the personnel assigned to this section, including a detention supervisor or
6 superintendent. The director of the children's court center may also serve as
7 superintendent of detention if the county board of supervisors so determines.

8 **SECTION 3139d.** 938.22 (7) (a) of the statutes is amended to read:

9 938.22 **(7)** (a) No person may establish a shelter care facility without first
10 obtaining a license under s. 48.66 (1) (a). To obtain a license under s. 48.66 (1) (a) to
11 operate a shelter care facility, a person must meet the minimum requirements for a
12 license established by the department of health and family services under s. 48.67,
13 meet the requirements specified in s. 48.685 and pay the license fee under par. (b).
14 A license issued under s. 48.66 (1) (a) to operate a shelter care facility is valid until
15 revoked or suspended, but shall be reviewed every 2 years as provided in s. 48.66 (5).

16 **SECTION 3140d.** 938.22 (7) (b) of the statutes is amended to read:

17 938.22 **(7)** (b) Before the department of health and family services may issue
18 a license under s. 48.66 (1) (a) to operate a shelter care facility, the shelter care facility
19 must pay to that department a biennial fee of \$60.50, plus a biennial fee of \$18.15
20 per juvenile, based on the number of juveniles that the shelter care facility is licensed
21 to serve. A shelter care facility that wishes to continue a license issued under s. 48.66
22 (1) (a) shall pay the fee under this paragraph by the continuation date of the license.
23 A new shelter care facility shall pay the fee under this paragraph by no later than
24 30 days before the opening of the shelter care facility.

25 **SECTION 3141d.** 938.22 (7) (c) of the statutes is amended to read:

1 938.22 (7) (c) A shelter care facility that wishes to continue a license issued
2 under s. 48.66 (1) (a) and that fails to pay the fee under par. (b) by the continuation
3 date of the license or a new shelter care facility that fails to pay the fee under par.
4 (b) by 30 days before the opening of the shelter care facility shall pay an additional
5 fee of \$5 per day for every day after the deadline that the facility fails to pay the fee.

6 **SECTION 3142d.** 938.23 (1) (a) of the statutes is amended to read:

7 938.23 (1) (a) Any juvenile alleged to be delinquent under s. 938.12 or held in
8 a secure detention facility shall be represented by counsel at all stages of the
9 proceedings, but a juvenile 15 years of age or older may waive counsel if the court is
10 satisfied that the waiver is knowingly and voluntarily made and the court accepts
11 the waiver. If the waiver is accepted, the court may not place the juvenile in a secured
12 correctional facility, a secured child caring institution or a secured group home,
13 transfer supervision of the juvenile to the department for participation in the serious
14 juvenile offender program or transfer jurisdiction over the juvenile to adult court.

15 **SECTION 3142g.** 938.23 (2) of the statutes is created to read:

16 938.23 (2) (a) Whenever a juvenile is alleged to be in need of protection or
17 services under s. 938.13, any parent under 18 years of age who appears before the
18 court shall be represented by counsel; but no such parent may waive counsel.

19 (b) If a petition under s. 938.13 is contested, no juvenile may be placed outside
20 his or her home unless the nonpetitioning parent is represented by counsel at the
21 fact-finding hearing and subsequent proceedings. If the petition is not contested,
22 the juvenile may not be placed outside his or her home unless the nonpetitioning
23 parent is represented by counsel at the hearing at which the placement is made. A
24 parent who is required under this paragraph to be represented by counsel may,
25 however, waive counsel if the court is satisfied that such waiver is knowingly and

1 voluntarily made, and the court may place the juvenile outside the home even though
2 the parent was not represented by counsel.

3 **SECTION 3142m.** 938.23 (3) of the statutes is amended to read:

4 938.23 (3) POWER OF THE COURT TO APPOINT COUNSEL. ~~Except in proceedings~~
5 ~~under s. 938.13, at~~ At any time, upon request or on its own motion, the court may
6 appoint counsel for the juvenile or any party, unless the juvenile or the party has or
7 wishes to retain counsel of his or her own choosing. ~~The court may not appoint~~
8 ~~counsel for any party other than the juvenile in a proceeding under s. 938.13.~~

9 **SECTION 3142p.** 938.23 (4) of the statutes is amended to read:

10 938.23 (4) PROVIDING COUNSEL. In any situation under this section in which a
11 ~~person juvenile~~ has a right to be represented by counsel or is provided counsel at the
12 discretion of the court and counsel is not knowingly and voluntarily waived, the court
13 shall refer the ~~person juvenile~~ to the state public defender and counsel shall be
14 appointed by the state public defender under s. 977.08 without a determination of
15 indigency. In any situation under sub. (2) in which a parent 18 years of age or over
16 is entitled to representation by counsel; counsel is not knowingly and voluntarily
17 waived; and it appears that the parent is unable to afford counsel in full, or the parent
18 so indicates; the court shall refer the parent to the authority for indigency
19 determinations specified in s. 977.01 (1). In any other situation under this section
20 in which a person has a right to be represented by counsel or is provided counsel at
21 the discretion of the court, competent and independent counsel shall be provided and
22 reimbursed in any manner suitable to the court regardless of the person's ability to
23 pay, except that the court may not order a person who files a petition under s. 813.122
24 or 813.125 to reimburse counsel for the juvenile who is named as the respondent in
25 that petition.

1 **SECTION 3143.** 938.24 (5) of the statutes is amended to read:

2 938.24 (5) The intake worker shall request that a petition be filed, enter into
3 a deferred prosecution agreement or close the case within 40 days or sooner of receipt
4 of referral information. Before entering into a deferred prosecution agreement, the
5 intake worker shall comply with s. 938.245 (1m), if applicable. If the case is closed
6 or a deferred prosecution agreement is entered into, the district attorney, corporation
7 counsel or other official under s. 938.09 shall receive written notice of such action.
8 If the case is closed, the known victims of the juvenile's alleged act shall receive notice
9 as provided under sub. (5m), if applicable. ~~In addition, if a deferred prosecution~~
10 ~~agreement is entered into placing a juvenile in a youth village program as described~~
11 ~~in s. 118.42, the judge or juvenile court commissioner shall receive written notice of~~
12 ~~such action and, on receipt of that notice, shall enter an order requiring compliance~~
13 ~~with that agreement.~~ A notice of deferred prosecution of an alleged delinquency case
14 shall include a summary of the facts surrounding the allegation and a list of prior
15 intake referrals and dispositions. If a law enforcement officer has made a
16 recommendation concerning the juvenile, the intake worker shall forward this
17 recommendation to the district attorney under s. 938.09. Notwithstanding the
18 requirements of this section, the district attorney may initiate a delinquency petition
19 under s. 938.25 within 20 days after notice that the case has been closed or that a
20 deferred prosecution agreement has been entered into. The judge shall grant
21 appropriate relief as provided in s. 938.315 (3) with respect to any such petition
22 which is not referred or filed within the time limits specified within this subsection.
23 Failure to object if a petition is not referred or filed within a time limit specified in
24 this subsection waives that time limit.

25 **SECTION 3143m.** 938.243 (1) (e) of the statutes is amended to read:

1 938.243 (1) (e) The right of ~~the juvenile~~ to counsel under s. 938.23.

2 **SECTION 3144.** 938.245 (2) (a) 9. of the statutes is repealed.

3 **SECTION 3145.** 938.245 (2) (b) of the statutes is amended to read:

4 938.245 (2) (b) A deferred prosecution agreement, ~~other than an agreement~~
5 ~~under par. (a) 9.,~~ may not include any form of out-of-home placement and may not
6 exceed one year.

7 **SECTION 3146.** 938.245 (3) of the statutes is amended to read:

8 938.245 (3) The obligations imposed under a deferred prosecution agreement
9 and its effective date shall be set forth in writing. ~~If the deferred prosecution~~
10 ~~agreement places the juvenile in a youth village program under sub. (2) (a) 9., the~~
11 ~~judge or juvenile court commissioner shall receive written notice that a deferred~~
12 ~~prosecution agreement has been entered into and, on receipt of that notice, shall~~
13 ~~enter an order requiring compliance with that agreement.~~ The juvenile and a parent,
14 guardian and legal custodian shall receive a copy of the agreement and order, as shall
15 any agency providing services under the agreement.

16 **SECTION 3147.** 938.245 (4) of the statutes is amended to read:

17 938.245 (4) The intake worker shall inform the juvenile and the juvenile's
18 parent, guardian and legal custodian in writing of their right to terminate ~~or, if the~~
19 ~~juvenile is subject to a deferred prosecution agreement under sub. (2) (a) 9., to~~
20 ~~request the court to terminate~~ the deferred prosecution agreement at any time or to
21 object at any time to the fact or terms of the deferred prosecution agreement. If an
22 objection arises the intake worker may alter the terms of the agreement or request
23 the district attorney or corporation counsel to file a petition. If the deferred
24 prosecution agreement is terminated the intake worker may request the district
25 attorney or corporation counsel to file a petition.

1 **SECTION 3148.** 938.245 (5) of the statutes is amended to read:

2 938.245 **(5)** A deferred prosecution agreement under sub. (2) (a) 1. to 8., (2g)
3 or (2v). may be terminated upon the request of the juvenile, parent, guardian or legal
4 custodian. ~~A deferred prosecution agreement under sub. (2) (a) 9. may be terminated~~
5 ~~by the court upon the request of the juvenile, parent, guardian or legal custodian.~~

6 **SECTION 3148m.** 938.27 (4) (b) of the statutes is amended to read:

7 938.27 **(4)** (b) Advise the juvenile and any other party, if applicable, of his or
8 her right to legal counsel regardless of ability to pay.

9 **SECTION 3149.** 938.32 (1) (a) of the statutes is amended to read:

10 938.32 **(1)** (a) At any time after the filing of a petition for a proceeding relating
11 to s. 938.12 or 938.13 and before the entry of judgment, the judge or juvenile court
12 commissioner may suspend the proceedings and place the juvenile under
13 supervision in the juvenile's own home or present placement ~~or in a youth village~~
14 ~~program as described in s. 118.42.~~ The court may establish terms and conditions
15 applicable to the parent, guardian or legal custodian, and to the juvenile, including
16 any of the conditions specified in subs. (1d), (1g), (1m), (1t), (1v) and (1x). The order
17 under this section shall be known as a consent decree and must be agreed to by the
18 juvenile; the parent, guardian or legal custodian; and the person filing the petition
19 under s. 938.25. If the consent decree includes any conditions specified in sub. (1g),
20 the consent decree shall include provisions for payment of the services as specified
21 in s. 938.361. The consent decree shall be reduced to writing and given to the parties.

22 **SECTION 3150.** 938.32 (2) (c) of the statutes is amended to read:

23 938.32 **(2)** (c) Upon the motion of the court or the application of the juvenile,
24 parent, guardian, legal custodian, intake worker or any agency supervising the
25 juvenile under the consent decree, the court may, after giving notice to the parties

1 to the consent decree and their counsel, if any, extend the decree for up to an
2 additional 6 months ~~or, if the consent decree places the juvenile in a youth village~~
3 ~~program as described in s. 118.42, for up to an additional one year in the absence of~~
4 objection to extension by the parties to the initial consent decree. If the parent,
5 guardian or legal custodian objects to the extension, the court shall schedule a
6 hearing and make a determination on the issue of extension. ~~A consent decree~~
7 ~~placing a juvenile in a youth village program as described in s. 118.42 may be~~
8 ~~extended no more than twice.~~

9 **SECTION 3151d.** 938.33 (3) (intro.) of the statutes is amended to read:

10 938.33 (3) CORRECTIONAL PLACEMENT REPORTS. (intro.) A report recommending
11 placement of a juvenile in a secured correctional facility ~~under the supervision of the~~
12 ~~department or, a secured child caring institution~~ or a secured group home shall be
13 in writing, except that the report may be presented orally at the dispositional
14 hearing if the juvenile and the juvenile's counsel consent. A report that is presented
15 orally shall be transcribed and made a part of the court record. In addition to the
16 information specified under sub. (1) (a) to (d), the report shall include all of the
17 following:

18 **SECTION 3152d.** 938.33 (3) (a) of the statutes is amended to read:

19 938.33 (3) (a) A description of any less restrictive alternatives that are
20 available and that have been considered, and why they have been determined to be
21 inappropriate. If the judge has found that any of the conditions specified in s. 938.34
22 (4m) (b) 1., 2. or 3. applies, the report shall indicate that a less restrictive alternative
23 than placement in a secured correctional facility ~~or, a secured child caring institution~~
24 or a secured group home is not appropriate.

25 **SECTION 3153d.** 938.33 (3r) of the statutes is amended to read:

1 **938.33 (3r)** SERIOUS JUVENILE OFFENDER REPORT. If a juvenile has been
2 adjudicated delinquent for committing a violation for which the juvenile may be
3 placed in the serious juvenile offender program under s. 938.34 (4h) (a), the report
4 shall be in writing and, in addition to the information specified in sub. (1) and in sub.
5 (3) or (4), if applicable, shall include an analysis of the juvenile's suitability for
6 placement in the serious juvenile offender program under s. 938.34 (4h) or in a
7 secured correctional facility or a secured group home under s. 938.34 (4m), a
8 placement specified in s. 938.34 (3) or placement in the juvenile's home with
9 supervision and community-based programming and a recommendation as to the
10 type of placement for which the juvenile is best suited.

11 **SECTION 3153p.** 938.34 (3) (a) of the statutes is amended to read:

12 **938.34 (3)** (a) The home of a parent or other relative of the juvenile, except that
13 the court may not designate the home of a parent or other relative of the juvenile as
14 the juvenile's placement if the parent or other relative has been convicted under s.
15 940.01 of the first-degree intentional homicide, or under s. 940.05 of the 2nd-degree
16 intentional homicide, of a parent of the juvenile, and the conviction has not been
17 reversed, set aside or vacated, unless the court determines by clear and convincing
18 evidence that the placement would be in the best interests of the juvenile. The court
19 shall consider the wishes of the juvenile in making that determination.

20 **SECTION 3153r.** 938.34 (3) (b) of the statutes is amended to read:

21 **938.34 (3)** (b) ~~A home which need not be~~ The home of a person who is not
22 required to be licensed if placement is for less than 30 days, except that the court may
23 not designate the name of a person who is not required to be licensed as the juvenile's
24 placement if the person has been convicted under s. 940.01 of the first-degree
25 intentional homicide, or under s. 940.05 of the 2nd-degree intentional homicide, of

1 a parent of the juvenile, and the conviction has not been reversed, set aside or
2 vacated, unless the court determines by clear and convincing evidence that the
3 placement would be in the best interests of the juvenile. The court shall consider the
4 wishes of the juvenile in making that determination.

5 **SECTION 3154.** 938.34 (3) (dm) of the statutes is repealed.

6 **SECTION 3155d.** 938.34 (4m) (intro.) of the statutes is amended to read:

7 938.34 **(4m)** CORRECTIONAL PLACEMENT. (intro.) Place the juvenile in a secured
8 correctional facility or a secured child caring institution under the supervision of the
9 department or in a secured group home under the supervision of a county
10 department if the juvenile is 12 years of age or over or, if the juvenile is under 12 years
11 of age, in a secured child caring institution under the supervision of the department
12 or in a secured group home under the supervision of a county department, unless the
13 department, after an examination under s. 938.50, determines that placement in a
14 secured correctional facility is more appropriate, but only if all of the following apply:

15 **SECTION 3156d.** 938.34 (4n) (intro.) of the statutes is amended to read:

16 938.34 **(4n)** AFTERCARE SUPERVISION. (intro.) Subject to s. 938.532 (3) and to any
17 arrangement between the department and a county department regarding the
18 provision of aftercare supervision for juveniles who have been released from a
19 secured correctional facility ~~or~~, a secured child caring institution or a secured group
20 home, designate one of the following to provide aftercare supervision for the juvenile
21 following the juvenile's release from the secured correctional facility ~~or~~, secured child
22 caring institution or secured group home:

23 **SECTION 3157d.** 938.34 (4n) (b) of the statutes is amended to read:

1 938.34 (4n) (b) The county department of the county of the court that placed
2 the juvenile in the secured correctional facility ~~or~~, secured child caring institution or
3 secured group home.

4 **SECTION 3159b.** 938.34 (8) of the statutes is amended to read:

5 938.34 (8) FORFEITURE. Impose a forfeiture based upon a determination that
6 this disposition is in the best interest of the juvenile and in aid of rehabilitation. The
7 maximum forfeiture that the court may impose under this subsection for a violation
8 by a juvenile is the maximum amount of the fine that may be imposed on an adult
9 for committing that violation or, if the violation is applicable only to a person under
10 18 years of age, \$100. Any such order shall include a finding that the juvenile alone
11 is financially able to pay the forfeiture and shall allow up to 12 months for payment.
12 If the juvenile fails to pay the forfeiture, the court may vacate the forfeiture and order
13 other alternatives under this section, in accordance with the conditions specified in
14 this chapter; or the court may suspend any license issued under ch. 29 for not less
15 than 30 days nor more than 5 years, or, unless the forfeiture was imposed for
16 violating an ordinance unrelated to the juvenile's operation of a motor vehicle, may
17 suspend the juvenile's operating privilege as defined in s. 340.01 (40), for not less
18 than 30 days nor more than 5 years. If the court suspends any license under this
19 subsection, the clerk of the court shall immediately take possession of the suspended
20 license and forward it to the department which issued the license, together with a
21 notice of suspension clearly stating that the suspension is for failure to pay a
22 forfeiture imposed by the court. If the forfeiture is paid during the period of
23 suspension, the suspension shall be reduced to the time period which has already
24 elapsed and the court shall immediately notify the department which shall then
25 return the license to the juvenile. Any recovery under this subsection shall be

1 reduced by the amount recovered as a forfeiture for the same act under s. 938.45 (1r)
2 (b).

3 **SECTION 3160d.** 938.34 (8d) (c) of the statutes is amended to read:

4 938.34 **(8d)** (c) If a juvenile placed in a secured correctional facility or a secured
5 child caring institution fails to pay the surcharge under par. (a), the department shall
6 assess and collect the amount owed from the juvenile's wages or other moneys. If a
7 juvenile placed in a secured group home fails to pay the surcharge under par. (a), the
8 county department shall assess and collect the amount owed from the juvenile's
9 wages or other moneys. Any amount collected shall be transmitted to the state
10 treasurer.

11 **SECTION 3161b.** 938.343 (2) of the statutes is amended to read:

12 938.343 **(2)** Impose a forfeiture not to exceed the maximum forfeiture that may
13 be imposed on an adult for committing that violation or, if the violation is only
14 applicable to a person under 18 years of age, \$50. Any such order shall include a
15 finding that the juvenile alone is financially able to pay and shall allow up to 12
16 months for the payment. If a juvenile fails to pay the forfeiture, the court may
17 suspend any license issued under ch. 29 or, unless the forfeiture was imposed for
18 violating an ordinance unrelated to the juvenile's operation of a motor vehicle, may
19 suspend the juvenile's operating privilege as defined in s. 340.01 (40), for not less
20 than 30 days nor more than 5 years. The court shall immediately take possession
21 of the suspended license and forward it to the department which issued the license,
22 together with the notice of suspension clearly stating that the suspension is for
23 failure to pay a forfeiture imposed by the court. If the forfeiture is paid during the
24 period of suspension, the court shall immediately notify the department, which will
25 thereupon return the license to the person. Any recovery under this subsection shall

1 be reduced by the amount recovered as a forfeiture for the same act under s. 938.45
2 (1r) (b).

3 **SECTION 3162d.** 938.345 (1) (a) of the statutes is amended to read:

4 938.345 (1) (a) Place the juvenile in the serious juvenile offender program, a
5 secured correctional facility ~~or~~, a secured child caring institution or a secured group
6 home.

7 **SECTION 3163d.** 938.355 (1) of the statutes is amended to read:

8 938.355 (1) INTENT. In any order under s. 938.34 or 938.345, the court shall
9 decide on a placement and treatment finding based on evidence submitted to the
10 court. The disposition shall employ those means necessary to promote the objectives
11 specified in s. 938.01. If the disposition places a juvenile who has been adjudicated
12 delinquent outside the home under s. 938.34 (3) (c) or (d), the order shall include a
13 finding that the juvenile's current residence will not safeguard the welfare of the
14 juvenile or the community due to the serious nature of the act for which the juvenile
15 was adjudicated delinquent. If the judge has determined that any of the conditions
16 specified in s. 938.34 (4m) (b) 1., 2. or 3. applies, that determination shall be prima
17 facie evidence that a less restrictive alternative than placement in a secured
18 correctional facility ~~or~~, a secured child caring institution or a secured group home is
19 not appropriate. If information under s. 938.331 has been provided in a court report
20 under s. 938.33 (1), the court shall consider that information when deciding on a
21 placement and treatment finding.

22 **SECTION 3163k.** 938.355 (3) of the statutes is renumbered 938.355 (3) (a) and
23 amended to read:

1 938.355 (3) (a) If Except as provided in par. (b), if, after a hearing on the issue
2 with due notice to the parent or guardian, the court finds that it would be in the best
3 interest of the juvenile, the court may set reasonable rules of parental visitation.

4 **SECTION 3163m.** 938.355 (3) (b) of the statutes is created to read:

5 938.355 (3) (b) 1. Except as provided in subd. 2., the court may not grant
6 visitation under par. (a) to a parent of a juvenile if the parent has been convicted
7 under s. 940.01 of the first-degree intentional homicide, or under s. 940.05 of the
8 2nd-degree intentional homicide, of the juvenile's other parent, and the conviction
9 has not been reversed, set aside or vacated.

10 1m. Except as provided in subd. 2., if a parent who is granted visitation rights
11 with a juvenile under par. (a) is convicted under s. 940.01 of the first-degree
12 intentional homicide, or under s. 940.05 of the 2nd-degree intentional homicide, of
13 the juvenile's other parent, and the conviction has not been reversed, set aside or
14 vacated, the court shall issue an order prohibiting the parent from having visitation
15 with the juvenile on petition of the juvenile, the guardian or legal custodian of the
16 juvenile, a person or agency bound by the dispositional order or the district attorney
17 or corporation counsel of the county in which the dispositional order was entered, or
18 on the court's own motion, and on notice to the parent.

19 2. Subdivisions 1. and 1m. do not apply if the court determines by clear and
20 convincing evidence that the visitation would be in the best interests of the juvenile.
21 The court shall consider the wishes of the juvenile in making that determination.

22 **SECTION 3164d.** 938.357 (3) of the statutes is amended to read:

23 938.357 (3) Subject to sub. (4) (b) and (c) and (5) (e), if the proposed change in
24 placement would involve placing a juvenile in a secured correctional facility ~~or in~~ a
25 secured child caring institution or a secured group home, notice shall be given as

1 provided in sub. (1). A hearing shall be held, unless waived by the juvenile, parent,
2 guardian and legal custodian, before the judge makes a decision on the request. The
3 juvenile shall be entitled to counsel at the hearing, and any party opposing or
4 favoring the proposed new placement may present relevant evidence and
5 cross-examine witnesses. The proposed new placement may be approved only if the
6 judge finds, on the record, that the conditions set forth in s. 938.34 (4m) have been
7 met.

8 **SECTION 3165k.** 938.357 (4d) of the statutes is created to read:

9 938.357 **(4d)** (a) Except as provided in par. (b), the court may not change a
10 juvenile's placement to a placement in the home of a person who has been convicted
11 under s. 940.01 of the first-degree intentional homicide, or under s. 940.05 of the
12 2nd-degree intentional homicide, of a parent of the juvenile, if the conviction has not
13 been reversed, set aside or vacated.

14 (am) Except as provided in par (b), if a parent in whose home a juvenile is placed
15 is convicted under s. 940.01 of the first-degree intentional homicide, or under s.
16 940.05 of the 2nd-degree intentional homicide, of the juvenile's other parent, and the
17 conviction has not been reversed, set aside or vacated, the court shall change the
18 juvenile's placement to a placement out of the home of the parent on petition of the
19 juvenile, the guardian or legal custodian of the juvenile, a person or agency bound
20 by the dispositional order or the district attorney or corporation counsel of the county
21 in which the dispositional order was entered, or on the court's own motion, and on
22 notice to the parent.

23 (b) Paragraphs (a) and (am) do not apply if the court determines by clear and
24 convincing evidence that the placement would be in the best interests of the juvenile.
25 The court shall consider the wishes of the juvenile in making that determination.

1 **SECTION 3166d.** 938.357 (4g) (a) of the statutes is amended to read:

2 938.357 **(4g)** (a) Not later than 120 days after the date on which the juvenile
3 is placed in a secured correctional facility ~~or~~, a secured child caring institution or a
4 secured group home, or within 30 days after the date on which the department
5 requests the aftercare plan, whichever is earlier, the aftercare provider designated
6 under s. 938.34 (4n) shall prepare an aftercare plan for the juvenile. If the aftercare
7 provider designated under s. 938.34 (4n) is a county department, that county
8 department shall submit the aftercare plan to the department within the time limits
9 specified in this paragraph, unless the department waives those time limits under
10 par. (b).

11 **SECTION 3167d.** 938.357 (4g) (b) of the statutes is amended to read:

12 938.357 **(4g)** (b) The department may waive the time period within which an
13 aftercare plan must be prepared and submitted under par. (a) if the department
14 anticipates that the juvenile will remain in the secured correctional facility ~~or~~,
15 secured child caring institution or secured group home for a period exceeding 8
16 months or if the juvenile is subject to s. 48.366 or 938.183. If the department waives
17 that time period, the aftercare provider designated under s. 938.34 (4n) shall prepare
18 the aftercare plan within 30 days after the date on which the department requests
19 the aftercare plan.

20 **SECTION 3168d.** 938.357 (4g) (d) of the statutes is amended to read:

21 938.357 **(4g)** (d) A juvenile may be released from a secured correctional facility
22 ~~or~~, a secured child caring institution or a secured group home whether or not an
23 aftercare plan has been prepared under this subsection.

24 **SECTION 3169d.** 938.357 (5) (e) of the statutes is amended to read:

1 938.357 (5) (e) If the hearing examiner finds that the juvenile has violated a
2 condition of aftercare supervision, the hearing examiner shall determine whether
3 confinement in a secured correctional facility ~~or~~ a secured child caring institution
4 or a secured group home is necessary to protect the public, to provide for the juvenile's
5 rehabilitation or to not depreciate the seriousness of the violation.

6 **SECTION 3170d.** 938.357 (5) (f) of the statutes is amended to read:

7 938.357 (5) (f) Review of a revocation decision shall be by certiorari to the court
8 by whose order the juvenile was placed in a secured correctional facility ~~or~~ a secured
9 child caring institution or a secured group home.

10 **SECTION 3171d.** 938.38 (3) (a) of the statutes is amended to read:

11 938.38 (3) (a) If the juvenile is alleged to be delinquent and is being held in a
12 secure detention facility, juvenile portion of a county jail or shelter care facility, and
13 the agency intends to recommend that the juvenile be placed in a secured
14 correctional facility ~~or~~ a secured child caring institution or a secured group home,
15 the agency is not required to submit the permanency plan unless the court does not
16 accept the recommendation of the agency. If the court places the juvenile in any
17 facility outside of the juvenile's home other than a secured correctional facility ~~or~~ a
18 secured child caring institution or a secured group home, the agency shall file the
19 permanency plan with the court within 60 days after the date of disposition.

20 **SECTION 3171m.** 938.396 (9) of the statutes is amended to read:

21 938.396 (9) Notwithstanding sub. (2) (a), if a juvenile is adjudged delinquent
22 for committing a serious crime, as defined in s. 48.685 (7) ~~(a)~~ (1) (c), the court clerk
23 shall notify the department of justice of that fact. No other information from the
24 juvenile's court records may be disclosed to the department of justice except by order
25 of the court. The department of justice may disclose any information provided under

1 this subsection only as part of a criminal history record search under s. 48.685 (2)
2 (am) 1. or (b) 1. a.

3 **SECTION 3173d.** 938.51 (1) (intro.) of the statutes is amended to read:

4 938.51 (1) (intro.) At least 15 days prior to the date of release from a secured
5 correctional facility ~~or~~, a secured child caring institution or a secured group home of
6 a juvenile who has been adjudicated delinquent and at least 15 days prior to the
7 release from the supervision of the department or a county department of a juvenile
8 who has been adjudicated delinquent, the department or county department having
9 supervision over the juvenile shall make a reasonable attempt to do all of the
10 following:

11 **SECTION 3174d.** 938.51 (1m) of the statutes is amended to read:

12 938.51 (1m) The department or county department having supervision over a
13 juvenile described in sub. (1) shall determine the local agencies that it will notify
14 under sub. (1) (a) based on the residence of the juvenile's parents or on the juvenile's
15 intended residence specified in the juvenile's aftercare supervision plan or, if those
16 methods do not indicate the community in which the juvenile will reside following
17 release from a secured correctional facility ~~or, from~~, a secured child caring institution
18 or a secured group home or from the supervision of the department or county
19 department, the community in which the juvenile states that he or she intends to
20 reside.

21 **SECTION 3175d.** 938.51 (4) (intro.) of the statutes is amended to read:

22 938.51 (4) (intro.) If a juvenile described in sub. (1), (1d) or (1g) escapes from
23 a secured correctional facility, child caring institution, secured group home,
24 inpatient facility, secure detention facility or juvenile portion of a county jail, or from
25 the custody of a peace officer or a guard of such a facility, institution, home or jail,

1 or has been allowed to leave a secured correctional facility, child caring institution,
2 secured group home, inpatient facility, secure detention facility or juvenile portion
3 of a county jail for a specified period of time and is absent from the facility, institution,
4 home or jail for more than 12 hours after the expiration of the specified period, as
5 soon as possible after the department or county department having supervision over
6 the juvenile discovers that escape or absence, that department or county department
7 shall make a reasonable attempt to notify by telephone all of the following persons:

8 **SECTION 3175r.** 938.532 (1) of the statutes is amended to read:

9 938.532 (1) PROGRAM. The From the appropriations under s. 20.410 (3) (bb) and
10 (hm), the department shall provide a juvenile boot camp program for juveniles who
11 have been placed under the supervision of the department under s. 938.183, 938.34
12 (4h) or (4m) or 938.357 (4).

13 **SECTION 3176.** 938.533 (2) of the statutes is amended to read:

14 938.533 (2) CORRECTIVE SANCTIONS PROGRAM. From the appropriation under s.
15 20.410 (3) (hr), the department shall provide a corrective sanctions program to serve
16 an average daily population of ~~106 juveniles in fiscal year 1997–98~~ and 136 juveniles
17 ~~in fiscal year 1998–99~~, or an average daily population of more than ~~106 juveniles in~~
18 ~~fiscal year 1997–98~~ and 136 juveniles ~~in fiscal year 1998–99~~ if the appropriation
19 under s. 20.410 (3) (hr) is supplemented under s. 13.101 or 16.515 and the positions
20 for the program are increased under s. 13.101 or 16.505 (2) or if funding and positions
21 to serve more than those ~~that~~ average daily populations population are otherwise
22 available, in not less than 3 counties, including Milwaukee County. The office of
23 juvenile offender review in the department shall evaluate and select for participation
24 in the program juveniles who have been placed under the supervision of the
25 department under s. 938.183, 938.34 (4h) or (4m) or 938.357 (4). The department

1 shall place a program participant in the community, provide intensive surveillance
2 of that participant and provide an average of \$5,000 \$3,000 per year per slot to
3 purchase community-based treatment services for each participant. The
4 department shall make the intensive surveillance required under this subsection
5 available 24 hours a day, 7 days a week, and may purchase or provide electronic
6 monitoring for the intensive surveillance of program participants. The department
7 shall provide a report center in Milwaukee County to provide on-site programming
8 after school and in the evening for juveniles from Milwaukee County who are placed
9 in the corrective sanctions program. A contact worker providing services under the
10 program shall have a case load of approximately 10 juveniles and, during the initial
11 phase of placement in the community under the program of a juvenile who is
12 assigned to that contact worker, shall have not less than one face-to-face contact per
13 day with that juvenile. Case management services under the program shall be
14 provided by a corrective sanctions agent who shall have a case load of approximately
15 15 juveniles. The department shall promulgate rules to implement the program.

16 **SECTION 3176d.** 938.57 (1) (c) of the statutes is amended to read:

17 938.57 (1) (c) Provide appropriate protection and services for juveniles in its
18 care, including providing services for juveniles and their families in their own homes,
19 placing the juveniles in licensed foster homes, licensed treatment foster homes or
20 licensed group homes in this state or another state within a reasonable proximity to
21 the agency with legal custody or contracting for services for them by licensed child
22 welfare agencies or replacing them in juvenile secured correctional ~~institutions or~~
23 facilities, secured child caring institutions or secured group homes in accordance
24 with rules promulgated under ch. 227, except that the county department may not
25 purchase the educational component of private day treatment programs unless the

1 county department, the school board as defined in s. 115.001 (7) and the state
2 superintendent of public instruction all determine that an appropriate public
3 education program is not available. Disputes between the county department and
4 the school district shall be resolved by the state superintendent of public instruction.

5 **SECTION 3176e.** 938.57 (4) of the statutes is amended to read:

6 938.57 (4) A county department may provide aftercare supervision under s.
7 938.34 (4n) for juveniles who are released from secured correctional facilities or,
8 secured child caring institutions ~~operated by the department~~ or secured group
9 homes. If a county department intends to change its policy regarding whether the
10 county department or the department shall provide aftercare supervision for
11 juveniles released from secured correctional facilities or, secured child caring
12 institutions ~~operated by the department~~ or secured group homes, the county
13 executive or county administrator, or, if the county has no county executive or county
14 administrator, the chairperson of the county board of supervisors, or, for multicounty
15 departments, the chairpersons of the county boards of supervisors jointly, shall
16 submit a letter to the department stating that intent before July 1 of the year
17 preceding the year in which the policy change will take effect.

18 **SECTION 3176f.** 938.78 (3) of the statutes is amended to read:

19 938.78 (3) If a juvenile adjudged delinquent under s. 48.12, 1993 stats., or s.
20 938.12 or found to be in need of protection or services under s. 48.13 (12), 1993 stats.,
21 or s. 48.13 (14), 1993 stats., or s. 938.13 (12) or (14) on the basis of a violation of s.
22 941.10, 941.11, 941.20, 941.21, 941.23, 941.235, 941.237, 941.24, 941.26, 941.28,
23 941.295, 941.298, 941.30, 941.31, 941.32, 941.325, 943.02, 943.03, 943.04, 943.10 (2)
24 (a), 943.23 (1g), (1m) or (1r), 943.32 (2), 948.02, 948.025, 948.03, 948.05, 948.055,
25 948.60, 948.605 or 948.61 or any crime specified in ch. 940 has escaped from a secured

1 correctional facility, child caring institution, secured group home, inpatient facility,
2 as defined in s. 51.01 (10), secure detention facility or juvenile portion of a county jail,
3 or from the custody of a peace officer or a guard of such a facility, institution or jail,
4 or has been allowed to leave a secured correctional facility, child caring institution,
5 secured group home, inpatient facility, secure detention facility or juvenile portion
6 of a county jail for a specified time period and is absent from the facility, institution,
7 home or jail for more than 12 hours after the expiration of the specified period, the
8 department or county department having supervision over the juvenile may release
9 the juvenile's name and any information about the juvenile that is necessary for the
10 protection of the public or to secure the juvenile's return to the facility, institution,
11 home or jail. The department of corrections shall promulgate rules establishing
12 guidelines for the release of the juvenile's name or information about the juvenile to
13 the public.

14 **SECTION 3176m.** 938.983 (title) of the statutes is renumbered 254.92 (title) and
15 amended to read:

16 **254.92 (title) Purchase or possession of cigarettes or tobacco products**
17 **by person under 18 prohibited.**

18 **SECTION 3176n.** 938.983 (1) of the statutes is repealed.

19 **SECTION 3176p.** 938.983 (2) (intro.), (a) and (c) of the statutes are consolidated,
20 renumbered 254.92 (2) (intro.) and amended to read:

21 254.92 (2) (intro.) ~~Except as provided in sub. (3), no~~ No person under 18 years
22 of age may ~~do any of the following:~~ (a) ~~Buy or purchase,~~ attempt to buy any cigarette
23 ~~or tobacco product.~~ (c) ~~Possess purchase or possess~~ any cigarette or tobacco product.
24 except as follows:

1 **SECTION 3176q.** 938.983 (2) (b) of the statutes is renumbered 254.92 (1) and
2 amended to read:

3 254.92 (1) ~~Falsely~~ No person under 18 years of age may falsely represent his
4 or her age for the purpose of receiving any cigarette or tobacco product.

5 **SECTION 3176r.** 938.983 (3) of the statutes is renumbered 254.92 (2) (a) and
6 amended to read:

7 254.92 (2) (a) A person under 18 years of age may purchase or possess
8 cigarettes or tobacco products for the sole purpose of resale in the course of
9 employment during his or her working hours if employed by a retailer licensed under
10 s. 134.65 (1).

11 **SECTION 3176s.** 938.983 (4) of the statutes is renumbered 254.92 (3) and
12 amended to read:

13 254.92 (3) A law enforcement officer shall seize any cigarette or tobacco product
14 ~~involved in any violation of sub. (2) committed in his or her presence~~ that has been
15 sold to and is in the possession of a person under 18 years of age.

16 **SECTION 3176t.** 938.983 (5) of the statutes is repealed.

17 **SECTION 3188d.** 939.635 (1) of the statutes is amended to read:

18 939.635 (1) Except as provided in sub. (2), if a person who has been adjudicated
19 delinquent is convicted of violating s. 940.20 (1) while placed in a secured correctional
20 facility, as defined in s. 938.02 (15m), a secure detention facility, as defined in s.
21 938.02 (16), ~~or~~ a secured child caring institution, as defined in s. 938.02 (15g), or a
22 secured group home, as defined in s. 938.02 (15p), or is convicted of violating s. 940.20
23 (2m), the court shall sentence the person to not less than 3 years of imprisonment.
24 Except as provided in sub. (2), if a person is convicted of violating s. 946.43 while
25 placed in a secured correctional facility, as defined in s. 938.02 (15m), a secure

1 detention facility, as defined in s. 938.02 (16), ~~or a secured child caring institution,~~
2 as defined in s. 938.02 (15g), or a secured group home, as defined in s. 938.02 (15p).
3 the court shall sentence the person to not less than 5 years of imprisonment.

4 **SECTION 3189d.** 939.635 (2) (b) of the statutes is amended to read:

5 939.635 (2) (b) That imposing the applicable presumptive minimum sentence
6 specified in sub. (1) is not necessary to deter the person or other persons from
7 committing violations of s. 940.20 (1) or 946.43 or other similar offenses while placed
8 in a secured correctional facility, as defined in s. 938.02 (15m), a secure detention
9 facility, as defined in s. 938.02 (16), or a secured child caring institution, as defined
10 in s. 938.02 (15g), or a secured group home, as defined in s. 938.02 (15p). or from
11 committing violations of s. 940.20 (2m).

12 **SECTION 3189m.** 940.295 (1) (q) of the statutes is repealed.

13 **SECTION 3189n.** 940.295 (2) (j) of the statutes is repealed and recreated to read:

14 940.295 (2) (j) The Wisconsin School for the Deaf under s. 115.52 and the
15 Wisconsin Center for the Blind and Visually Impaired under s. 115.525.

16 **SECTION 3190t.** 943.13 (4m) (c) of the statutes is created to read:

17 943.13 (4m) (c) A person entering or remaining on any exposed shore area of
18 a stream as authorized under s. 30.134.

19 **SECTION 3191.** 944.21 (8) (b) 3. a. of the statutes is amended to read:

20 944.21 (8) (b) 3. a. Is a technical college, is a school approved by the educational
21 approval board under s. ~~39.51~~ 45.54 or is a school described in s. ~~39.51~~ (9) (f), (g) or
22 (h) 45.54 (1) (e) 6., 7. or 8.; and

23 **SECTION 3191bd.** 945.03 of the statutes is renumbered 945.03 (1m), and 945.03

24 (1m) (intro.), as renumbered, is amended to read:

1 945.03 **(1m)** (intro.) Whoever intentionally does any of the following is engaged
2 in commercial gambling and, except as provided in sub. (2m), is guilty of a Class E
3 felony:

4 **SECTION 3191bf.** 945.03 (2m) of the statutes is created to read:

5 945.03 **(2m)** If the violation of sub. (1m) involves the possession, operation, set
6 up, collection of proceeds, participation in earnings or maintenance of, or involves
7 acting as the custodian of anything of value bet or offered to be bet on, not more than
8 5 video gambling machines on premises for which a Class “B” or “Class B” license or
9 permit has been issued under ch. 125, the person may be penalized as follows:

10 (a) If the violation involves one video gambling machine, the person may be
11 required to forfeit not more than \$500.

12 (b) If the violation involves 2 video gambling machines, the person may be
13 required to forfeit not more than \$1,000.

14 (c) If the violation involves 3 video gambling machines, the person may be
15 required to forfeit not more than \$1,500.

16 (d) If the violation involves 4 video gambling machines, the person may be
17 required to forfeit not more than \$2,000.

18 (e) If the violation involves 5 video gambling machines, the person may be
19 required to forfeit not more than \$2,500.

20 **SECTION 3191bh.** 945.04 of the statutes is renumbered 945.04 (1m), and 945.04
21 (1m) (intro.), as renumbered, is amended to read:

22 945.04 **(1m)** (intro.) ~~Whoever~~ Except as provided in sub. (2m), whoever
23 intentionally does any of the following is guilty of a Class A misdemeanor:

24 **SECTION 3191bj.** 945.04 (2m) of the statutes is created to read:

1 945.04 **(2m)** If the violation of sub. (1m) involves the set up or use of not more
2 than 5 video gambling machines on premises for which a Class “B” or “Class B”
3 license or permit has been issued under ch. 125, the person may be penalized as
4 follows:

5 (a) If the violation involves one video gambling machine, the person may be
6 required to forfeit not more than \$500.

7 (b) If the violation involves 2 video gambling machines, the person may be
8 required to forfeit not more than \$1,000

9 (c) If the violation involves 3 video gambling machines, the person may be
10 required to forfeit not more than \$1,500.

11 (d) If the violation involves 4 video gambling machines, the person may be
12 required to forfeit not more than \$2,000

13 (e) If the violation involves 5 video gambling machines, the person may be
14 required to forfeit not more than \$2,500.

15 **SECTION 3191bm.** 945.041 (11) of the statutes is created to read:

16 945.041 **(11)** No proceeding under this section may be commenced to revoke a
17 Class “B” or “Class B” license or permit issued under ch. 125 to a person solely
18 because the person knowingly permits 5 or fewer video gambling machines to be set
19 up, kept, managed, used or conducted upon the licensed premises.

20 **SECTION 3191bn.** 945.05 (1) (intro.) of the statutes is amended to read:

21 945.05 **(1)** (intro.) ~~Whoever~~ Except as provided in subs. (1e) and (1m), whoever
22 manufactures, transfers commercially or possesses with intent to transfer
23 commercially either of the following is guilty of a Class E felony:

24 **SECTION 3191bo.** 945.05 (1e) of the statutes is created to read:

1 945.05 (1e) Subsection (1) does not apply to a person who manufactures,
2 transfers commercially or possesses with intent to transfer commercially gambling
3 devices described in sub. (1) (a) and (b) to a nonprofit or public educational institution
4 that provides an educational program for which it awards a bachelor's or higher
5 degree for the use in a casino gaming management class.

6 **SECTION 3191bp.** 945.05 (1m) of the statutes is created to read:

7 945.05 (1m) If a violation of sub. (1) involves the commercial transfer of a video
8 gambling machine or possession of a video gambling machine with the intent to
9 transfer commercially, the person is subject to a Class C forfeiture.

10 **SECTION 3191c.** 946.13 (10) of the statutes is amended to read:

11 946.13 (10) Subsection (1) (a) does not apply to a member of a ~~private industry~~
12 ~~council or appointed under the job training partnership act, 29 USC 1512, local~~
13 workforce development board established under 29 USC 2832 or to a member of the
14 ~~governor's council on workforce excellence appointed under s. 15.227 (24)~~ council on
15 workforce investment established under 29 USC 2821.

16 **SECTION 3191d.** 946.15 (1) of the statutes is amended to read:

17 946.15 (1) Any employer, or any agent or employe of an employer, who induces
18 any person who seeks to be or is employed pursuant to a public contract as defined
19 in s. 66.29 (1) (c) or who seeks to be or is employed on a project on which a prevailing
20 wage rate determination has been issued by the department of workforce
21 development under s. ~~20.924 (1) (j) 3. c.,~~ 66.293 (3), 103.49 (3) or 103.50 (3) or by a
22 local governmental unit, as defined in s. 66.293 (1) (d), under s. 66.293 (6) to give up,
23 waive or return any part of the compensation to which that person is entitled under
24 his or her contract of employment or under the prevailing wage rate determination
25 issued by the department or local governmental unit, or who reduces the hourly basic

1 rate of pay normally paid to an employe for work on a project on which a prevailing
2 wage rate determination has not been issued under s. 20.924 (1) (j) 3. c., 66.293 (3)
3 or (6), 103.49 (3) or 103.50 (3) during a week in which the employe works both on a
4 project on which a prevailing wage rate determination has been issued and on a
5 project on which a prevailing wage rate determination has not been issued, is guilty
6 of a Class E felony.

7 **SECTION 3191e.** 946.15 (2) of the statutes is amended to read:

8 946.15 (2) Any person employed pursuant to a public contract as defined in s.
9 66.29 (1) (c) or employed on a project on which a prevailing wage rate determination
10 has been issued by the department of workforce development under s. 20.924 (1) (j)
11 3. c., 66.293 (3), 103.49 (3) or 103.50 (3) or by a local governmental unit, as defined
12 in s. 66.293 (1) (d), under s. 66.293 (6) who gives up, waives or returns to the employer
13 or agent of the employer any part of the compensation to which the employe is
14 entitled under his or her contract of employment or under the prevailing wage
15 determination issued by the department or local governmental unit, or who gives up
16 any part of the compensation to which he or she is normally entitled for work on a
17 project on which a prevailing wage rate determination has not been issued under s.
18 20.924 (1) (j) 3. c., 66.293 (3) or (6), 103.49 (3) or 103.50 (3) during a week in which
19 the person works part-time on a project on which a prevailing wage rate
20 determination has been issued and part-time on a project on which a prevailing
21 wage rate determination has not been issued, is guilty of a Class C misdemeanor.

22 **SECTION 3191f.** 946.15 (3) of the statutes is amended to read:

23 946.15 (3) Any employer or labor organization, or any agent or employe of an
24 employer or labor organization, who induces any person who seeks to be or is
25 employed on a project on which a prevailing wage rate determination has been issued

1 by the department of workforce development under s. 20.924 (1) (j) 3. c., 66.293 (3),
2 103.49 (3) or 103.50 (3) or by a local governmental unit, as defined in s. 66.293 (1) (d),
3 under s. 66.293 (6) to permit any part of the wages to which that person is entitled
4 under the prevailing wage rate determination issued by the department or local
5 governmental unit to be deducted from the person's pay is guilty of a Class E felony,
6 unless the deduction would be permitted under 29 CFR 3.5 or 3.6 from a person who
7 is working on a project that is subject to 40 USC 276c.

8 **SECTION 3191g.** 946.15 (4) of the statutes is amended to read:

9 946.15 (4) Any person employed on a project on which a prevailing wage rate
10 determination has been issued by the department of workforce development under
11 s. 20.924 (1) (j) 3. c., 66.293 (3), 103.49 (3) or 103.50 (3) or by a local governmental
12 unit, as defined in s. 66.293 (1) (d), under s. 66.293 (6) who permits any part of the
13 wages to which that person is entitled under the prevailing wage rate determination
14 issued by the department or local governmental unit to be deducted from his or her
15 pay is guilty of a Class C misdemeanor, unless the deduction would be permitted
16 under 29 CFR 3.5 or 3.6 from a person who is working on a project that is subject to
17 40 USC 276c.

18 **SECTION 3192d.** 946.42 (1) (a) of the statutes is amended to read:

19 946.42 (1) (a) "Custody" includes without limitation actual custody of an
20 institution, including a secured correctional facility, as defined in s. 938.02 (15m), a
21 secured child caring institution, as defined in s. 938.02 (15g), a secured group home,
22 as defined in s. 938.02 (15p), a secure detention facility, as defined in s. 938.02 (16),
23 a Type 2 child caring institution, as defined in s. 938.02 (19r), or a juvenile portion
24 of a county jail, or of a peace officer or institution guard and constructive custody of
25 prisoners and juveniles subject to an order under s. 48.366, 938.183, 938.34 (4d), (4h)

1 or (4m) or 938.357 (4) or (5) (e) temporarily outside the institution whether for the
2 purpose of work, school, medical care, a leave granted under s. 303.068, a temporary
3 leave or furlough granted to a juvenile or otherwise. Under s. 303.08 (6) it means,
4 without limitation, that of the sheriff of the county to which the prisoner was
5 transferred after conviction. It does not include the custody of a probationer, parolee
6 or person on extended supervision by the department of corrections or a probation,
7 extended supervision or parole officer or the custody of a person who has been
8 released to aftercare supervision under ch. 938 unless the person is in actual custody
9 or is subject to a confinement order under s. 973.09 (4).

10 **SECTION 3193d.** 946.44 (2) (c) of the statutes is amended to read:

11 946.44 (2) (c) “Institution” includes a secured correctional facility, as defined
12 in s. 938.02 (15m), a secured child caring institution, as defined in s. 938.02 (15g),
13 a secured group home, as defined in s. 938.02 (15p), and a Type 2 child caring
14 institution, as defined in s. 938.02 (19r).

15 **SECTION 3194d.** 946.44 (2) (d) of the statutes is amended to read:

16 946.44 (2) (d) “Prisoner” includes a person who is under the supervision of the
17 department of corrections under s. 938.34 (4h) ~~or, who is~~ placed in a secured
18 correctional facility ~~or, a secured child caring institution or a secured group home~~
19 under s. ~~938.183~~, 938.34 (4m) or 938.357 (4) or (5) (e) ~~or, who is~~ placed in a Type 2
20 child caring institution under s. 938.34 (4d) or who is subject to an order under s.
21 48.366.

22 **SECTION 3195d.** 946.45 (2) (c) of the statutes is amended to read:

23 946.45 (2) (c) “Institution” includes a secured correctional facility, as defined
24 in s. 938.02 (15m), a secured child caring institution, as defined in s. 938.02 (15g),

1 a secured group home, as defined in s. 938.02 (15p), and a Type 2 child caring
2 institution, as defined in s. 938.02 (19r).

3 **SECTION 3196d.** 946.45 (2) (d) of the statutes is amended to read:

4 946.45 (2) (d) “Prisoner” includes a person who is under the supervision of the
5 department of corrections under s. 938.34 (4h) ~~or~~ who is placed in a secured
6 correctional facility ~~or~~ a secured child caring institution or a secured group home
7 under s. 938.183, 938.34 (4m) or 938.357 (4) or (5) (e) ~~or~~ who is placed in a Type 2
8 child caring institution under s. 938.34 (4d) or who is subject to an order under s.
9 48.366.

10 **SECTION 3196m.** 946.82 (4) of the statutes is amended to read:

11 946.82 (4) “Racketeering activity” means any activity specified in 18 USC 1961
12 (1) in effect as of April 27, 1982, or the attempt, conspiracy to commit, or commission
13 of any of the felonies specified in: chs. 945 and 961 and ss. 49.49, 134.05, 139.44 (1),
14 180.0129, 181.0129, 185.825, 200.09 (2), 215.12, 221.0625, 221.0636, 221.0637,
15 221.1004, 551.41, 551.42, 551.43, 551.44, 553.41 (3) and (4), 553.52 (2), 940.01,
16 940.19 (3) to (6), 940.20, 940.201, 940.203, 940.21, 940.30, 940.305, 940.31, 941.20
17 (2) and (3), 941.26, 941.28, 941.298, 941.31, 941.32, 943.01 (2) or (2g), 943.011,
18 943.012, 943.013, 943.02, 943.03, 943.04, 943.05, 943.06, 943.10, 943.20 (3) (b) to (d),
19 943.201, 943.23 (1g), (1m), (1r), (2) and (3), 943.24 (2), 943.25, 943.27, 943.28, 943.30,
20 943.32, 943.34 (1) (b) and (c), 943.38, 943.39, 943.40, 943.41 (8) (b) and (c), 943.50 (4)
21 (b) and (c), 943.60, 943.70, 944.205, 944.21 (5) (c) and (e), 944.32, 944.33 (2), 944.34,
22 945.03 (1m), 945.04 (1m), 945.05 (1), 945.08, 946.10, 946.11, 946.12, 946.13, 946.31,
23 946.32 (1), 946.48, 946.49, 946.61, 946.64, 946.65, 946.72, 946.76, 947.015, 948.05,
24 948.08, 948.12 and 948.30.

25 **SECTION 3197.** 948.11 (4) (b) 3. a. of the statutes is amended to read:

1 948.11 **(4)** (b) 3. a. Is a technical college, is a school approved by the educational
2 approval board under s. ~~39.51~~ 45.54 or is a school described in s. ~~39.51 (9) (f), (g) or~~
3 ~~(h)~~ 45.54 (1) (e) 6., 7. or 8.; and

4 **SECTION 3197c.** 948.22 (7) (bm) of the statutes is amended to read:

5 948.22 **(7)** (bm) Upon request, the court may modify the amount of child or
6 spousal support payments determined under par. (b) 2. if, after considering the
7 factors listed in s. 767.25 (1m) ~~or 767.51 (5)~~, regardless of the fact that the action is
8 not one for a determination of paternity or an action specified in s. 767.25 (1), the
9 court finds, by the greater weight of the credible evidence, that the use of the
10 percentage standard is unfair to the child or to either of the child's parents.

11 **SECTION 3197j.** 948.24 (1) (b) of the statutes is amended to read:

12 948.24 **(1)** (b) For anything of value, solicits, negotiates or arranges the
13 placement of a child for adoption except under s. 48.833 (1).

14 **SECTION 3198.** 949.08 (2) (g) of the statutes is repealed and recreated to read:

15 949.08 **(2)** (g) Is included on the statewide support lien docket under s. 49.854
16 (2) (b), unless the victim provides to the department a payment agreement that has
17 been approved by the county child support agency under s. 59.53 (5) and that is
18 consistent with rules promulgated under s. 49.858 (2) (a).

19 **SECTION 3198m.** 950.04 (1v) (xm) of the statutes is amended to read:

20 950.04 **(1v)** (xm) To have the department of health and family services make
21 a reasonable attempt to notify the victim under s. 980.11 regarding supervised
22 release under s. ~~980.06~~ 980.08 and discharge under s. 980.09 or 980.10.

23 **SECTION 3199.** 950.06 (2) of the statutes is amended to read:

24 950.06 **(2)** The costs of providing services under sub. (1m) shall be paid for by
25 the county, but the county is eligible to receive reimbursement from the state for not

1 more than 90% of the costs incurred in providing those services. The department
2 shall determine the level of services for which a county may be reimbursed. The
3 county board shall file a claim for reimbursement with the department. The
4 department shall reimburse counties under this subsection from the appropriation
5 under s. 20.455 (5) (k), (kk) and (kp) and, on a semiannual basis, from the
6 appropriations under s. 20.455 (5) (c) and (g).

7 **SECTION 3200.** 950.06 (5) of the statutes is amended to read:

8 950.06 (5) The department shall review and approve the implementation and
9 operation of programs and the annual reports under this section. The department
10 may suspend or terminate reimbursement under ~~s. 20.455 (5) (c) and (g) sub. (2)~~ if
11 the county fails to comply with its duties under this section. The department shall
12 promulgate rules under ch. 227 for implementing and administering county
13 programs approved under this section.

14 **SECTION 3201d.** 968.255 (7) (b) of the statutes is amended to read:

15 968.255 (7) (b) Is placed in or transferred to a secured correctional facility, as
16 defined in s. 938.02 (15m), ~~or~~ a secured child caring institution, as defined in s. 938.02
17 (15g), or a secured group home, as defined in s. 938.02 (15p).

18 **SECTION 3202c.** 973.032 (2) (b) of the statutes is amended to read:

19 973.032 (2) (b) Notwithstanding par. (a), a court may not sentence a person
20 under sub. (1) if he or she is convicted of a felony punishable by life imprisonment
21 or has at any time been convicted, adjudicated delinquent or found not guilty or not
22 responsible by reason of insanity or mental disease, defect or illness for committing
23 a violent offense, as defined in s. 301.048 (2) (bm).

24 **SECTION 3202e.** 973.046 (1) (intro.) of the statutes is renumbered 973.046 (1r)
25 and amended to read:

1 973.046 **(1r)** If a court imposes a sentence or places a person on probation ~~under~~
2 ~~any of the following circumstances for a violation of s. 940.225, 948.02 (1) or (2) or~~
3 ~~948.025~~, the court shall impose a deoxyribonucleic acid analysis surcharge of \$250.;

4 **SECTION 3202f.** 973.046 (1) (a) of the statutes is repealed.

5 **SECTION 3202g.** 973.046 (1) (b) of the statutes is repealed.

6 **SECTION 3202h.** 973.046 (1g) of the statutes is created to read:

7 973.046 **(1g)** Except as provided in sub. (1r), if a court imposes a sentence or
8 places a person on probation for a felony conviction, the court may impose a
9 deoxyribonucleic acid analysis surcharge of \$250.

10 **SECTION 3202k.** 973.047 (1) (a) of the statutes is renumbered 973.047 (1f) and
11 amended to read:

12 973.047 **(1f)** If a court imposes a sentence or places a person on probation for
13 a ~~violation of s. 940.225, 948.02 (1) or (2) or 948.025~~ felony conviction, the court shall
14 require the person to provide a biological specimen to the state crime laboratories for
15 deoxyribonucleic acid analysis.

16 **SECTION 3202L.** 973.047 (1) (b) of the statutes is repealed.

17 **SECTION 3202m.** 973.047 (1) (c) of the statutes is renumbered 973.047 (1m) and
18 amended to read:

19 973.047 **(1m)** The results from deoxyribonucleic acid analysis of a specimen
20 provided under par. (a) or (b) this section may be used only as authorized under s.
21 165.77 (3). The state crime laboratories shall destroy any such specimen in
22 accordance with s. 165.77 (3).

23 **SECTION 3202p.** 973.047 (2) of the statutes is amended to read:

24 973.047 **(2)** The department of justice shall promulgate rules providing for
25 procedures for defendants to provide specimens when required to do so under sub.

1 ~~(1) this section~~ and for the transportation of those specimens to the state crime
2 laboratories for analysis under s. 165.77.

3 **SECTION 3203.** 973.05 (1) of the statutes is amended to read:

4 973.05 **(1)** When a defendant is sentenced to pay a fine, the court may grant
5 permission for the payment of the fine, of the penalty assessment imposed by s.
6 ~~165.87~~ 757.05, the jail assessment imposed by s. 302.46 (1), the crime victim and
7 witness assistance surcharge under s. 973.045, the crime laboratories and drug law
8 enforcement assessment imposed by s. 165.755, any applicable deoxyribonucleic acid
9 analysis surcharge under s. 973.046, any applicable drug abuse program
10 improvement surcharge imposed by s. 961.41 (5), any applicable consumer
11 information assessment imposed by s. 100.261, any applicable domestic abuse
12 assessment imposed by s. 971.37 (1m) (c) 1. or 973.055, any applicable driver
13 improvement surcharge imposed by s. 346.655, any applicable enforcement
14 assessment imposed by s. 253.06 (4) (c), any applicable weapons assessment imposed
15 by s. 167.31, any applicable uninsured employer assessment imposed by s. 102.85 (4),
16 any applicable environmental assessment imposed by s. 299.93, any applicable wild
17 animal protection assessment imposed by s. 29.983, any applicable natural resources
18 assessment imposed by s. 29.987 and any applicable natural resources restitution
19 payment imposed by s. 29.989 to be made within a period not to exceed 60 days. If
20 no such permission is embodied in the sentence, the fine, the penalty assessment, the
21 jail assessment, the crime victim and witness assistance surcharge, the crime
22 laboratories and drug law enforcement assessment, any applicable deoxyribonucleic
23 acid analysis surcharge, any applicable drug abuse program improvement
24 surcharge, any applicable consumer information assessment, any applicable
25 domestic abuse assessment, any applicable driver improvement surcharge, any

1 applicable enforcement assessment, any applicable weapons assessment, any
2 applicable uninsured employer assessment, any applicable environmental
3 assessment, any applicable wild animal protection assessment, any applicable
4 natural resources assessment and any applicable natural resources restitution
5 payment shall be payable immediately.

6 **SECTION 3204.** 973.05 (2) of the statutes is amended to read:

7 973.05 (2) When a defendant is sentenced to pay a fine and is also placed on
8 probation, the court may make the payment of the fine, the penalty assessment, the
9 jail assessment, the crime victim and witness assistance surcharge, the crime
10 laboratories and drug law enforcement assessment, any applicable deoxyribonucleic
11 acid analysis surcharge, any applicable drug abuse program improvement
12 surcharge, any applicable consumer information assessment, any applicable
13 domestic abuse assessment, any applicable uninsured employer assessment, any
14 applicable driver improvement surcharge, any applicable enforcement assessment
15 under s. 253.06 (4) (c), any applicable weapons assessment, any applicable
16 environmental assessment, any applicable wild animal protection assessment, any
17 applicable natural resources assessment and any applicable natural resources
18 restitution payments a condition of probation. When the payments are made a
19 condition of probation by the court, payments thereon shall be applied first to
20 payment of the penalty assessment until paid in full, shall then be applied to the
21 payment of the jail assessment until paid in full, shall then be applied to the payment
22 of part A of the crime victim and witness assistance surcharge until paid in full, shall
23 then be applied to part B of the crime victim and witness assistance surcharge until
24 paid in full, shall then be applied to the crime laboratories and drug law enforcement
25 assessment until paid in full, shall then be applied to the deoxyribonucleic acid

1 analysis surcharge until paid in full, shall then be applied to the drug abuse
2 improvement surcharge until paid in full, shall then be applied to payment of the
3 driver improvement surcharge until paid in full, shall then be applied to payment
4 of the domestic abuse assessment until paid in full, shall then be applied to payment
5 of the consumer information assessment until paid in full, shall then be applied to
6 payment of the natural resources assessment if applicable until paid in full, shall
7 then be applied to payment of the natural resources restitution payment until paid
8 in full, shall then be applied to the payment of the environmental assessment if
9 applicable until paid in full, shall then be applied to the payment of the wild animal
10 protection assessment if applicable until paid in full, shall then be applied to
11 payment of the weapons assessment until paid in full, shall then be applied to
12 payment of the uninsured employer assessment until paid in full, shall then be
13 applied to payment of the enforcement assessment under s. 253.06 (4) (c), if
14 applicable, until paid in full and shall then be applied to payment of the fine.

15 **SECTION 3205.** 973.07 of the statutes is amended to read:

16 **973.07 Failure to pay fine or costs or to comply with certain**
17 **community service work.** If the fine, costs, penalty assessment, jail assessment,
18 crime victim and witness assistance surcharge, crime laboratories and drug law
19 enforcement assessment, applicable deoxyribonucleic acid analysis surcharge,
20 applicable drug abuse program improvement surcharge, applicable consumer
21 information assessment, applicable domestic abuse assessment, applicable driver
22 improvement surcharge, applicable enforcement assessment under s. 253.06 (4) (c),
23 applicable weapons assessment, applicable uninsured employer assessment,
24 applicable environmental assessment, applicable wild animal protection
25 assessment, applicable natural resources assessment and applicable natural

1 resources restitution payments are not paid or community service work under s.
2 943.017 (3) is not completed as required by the sentence, the defendant may be
3 committed to the county jail until the fine, costs, penalty assessment, jail
4 assessment, crime victim and witness assistance surcharge, crime laboratories and
5 drug law enforcement assessment, applicable deoxyribonucleic acid analysis
6 surcharge, applicable drug abuse program improvement surcharge, applicable
7 consumer information assessment, applicable domestic abuse assessment,
8 applicable driver improvement surcharge, applicable enforcement assessment
9 under s. 253.06 (4) (c), applicable weapons assessment, applicable uninsured
10 employer assessment, applicable environmental assessment, applicable wild animal
11 protection assessment, applicable natural resources assessment or applicable
12 natural resources restitution payments are paid or discharged, or the community
13 service work under s. 943.017 (3) is completed, for a period fixed by the court not to
14 exceed 6 months.

15 **SECTION 3205d.** 973.09 (1) (d) of the statutes is renumbered 973.09 (1) (d)
16 (intro.) and amended to read:

17 973.09 (1) (d) (intro.) If a person is convicted of an offense that provides a
18 mandatory or presumptive minimum period of one year or less of imprisonment, a
19 court may place the person on probation under par. (a) if the court requires, as a
20 condition of probation, that the person be confined under sub. (4) for at least that
21 mandatory or presumptive minimum period. The person is eligible to earn good time
22 credit calculated under s. 302.43 regarding the period of confinement. This
23 paragraph does not apply if the conviction is for any of the following:

24 1. A violation under s. 346.63 (1) that subjects the person to a mandatory
25 minimum period of imprisonment under s. 346.65 (2) (b) or (c).

1 **SECTION 3205e.** 973.09 (1) (d) 2. of the statutes is created to read:

2 973.09 (1) (d) 2. A violation under s. 346.63 (2) or (6) that subjects the person
3 to a mandatory minimum period of imprisonment under s. 346.65 (3m), if the person
4 has a total of 3 or fewer convictions, suspensions or revocations counted under s.
5 343.307 (2).

6 **SECTION 3205f.** 973.09 (1) (d) 3. of the statutes is created to read:

7 973.09 (1) (d) 3. A violation under s. 346.63 (5) that subjects the person to a
8 mandatory minimum period of imprisonment under s. 346.65 (2j) (c), if the person
9 has a total of 3 or fewer convictions, suspensions or revocations counted under s.
10 343.307 (2).

11 **SECTION 3206g.** 977.08 (5) (b) of the statutes is repealed.

12 **SECTION 3206h.** 977.08 (5) (bn) (intro.) of the statutes is amended to read:

13 977.08 (5) (bn) (intro.) ~~Beginning on October 14, 1997, and ending on~~
14 ~~June 30, 1999~~ Except as provided in par. (br), any of the following constitutes an
15 annual caseload standard for an assistant state public defender in the subunit
16 responsible for trials:

17 **SECTION 3206k.** 977.08 (5) (bn) 1r. of the statutes is amended to read:

18 977.08 (5) (bn) 1r. Cases representing persons under ss. s. 980.05 and 980.06:
19 15.

20 **SECTION 3207.** 977.08 (5) (br) of the statutes is created to read:

21 977.08 (5) (br) Beginning on July 1, 2000, the state public defender may
22 exempt up to 10 full-time assistant state public defenders in the subunit responsible
23 for trials from the annual caseload standards under par. (bn) based on their need to
24 perform other assigned duties.

25 **SECTION 3207r.** 978.01 (2) (b) of the statutes is amended to read:

1 978.01 **(2)** (b) A district attorney serves on a part-time basis if his or her
2 prosecutorial unit consists of Buffalo, Florence, ~~Forest~~, Pepin, ~~Richland~~, ~~Rusk~~,
3 Trempealeau or Vernon county.

4 **SECTION 3207t.** 978.03 (1) of the statutes is amended to read:

5 978.03 **(1)** The district attorney of any prosecutorial unit having a population
6 of 500,000 or more may appoint ~~4~~ 5 deputy district attorneys and such assistant
7 district attorneys as may be requested by the department of administration and
8 authorized in accordance with s. 16.505. The district attorney shall rank the deputy
9 district attorneys for purposes of carrying out duties under this section. The
10 deputies, according to rank, may perform any duty of the district attorney, under the
11 district attorney's direction. In the absence or disability of the district attorney, the
12 deputies, according to rank, may perform any act required by law to be performed
13 by the district attorney. Any such deputy must have practiced law in this state for
14 at least 2 years prior to appointment under this section.

15 **SECTION 3208.** 978.03 (3) of the statutes is amended to read:

16 978.03 **(3)** Any assistant district attorney under sub. (1), (1m) or (2) must be
17 an attorney admitted to practice law in this state and, except as provided in s.
18 978.043, may perform any duty required by law to be performed by the district
19 attorney. The district attorney of the prosecutorial unit under sub. (1), (1m) or (2)
20 may appoint such temporary counsel as may be authorized by the department of
21 administration.

22 **SECTION 3209.** 978.04 of the statutes is amended to read:

23 **978.04 Assistants in certain prosecutorial units.** The district attorney of
24 any prosecutorial unit having a population of less than 100,000 may appoint one or
25 more assistant district attorneys as necessary to carry out the duties of his or her

1 office and as may be requested by the department of administration authorized in
2 accordance with s. 16.505. Any such assistant district attorney must be an attorney
3 admitted to practice law in this state and, except as provided in s. 978.043, may
4 perform any duty required by law to be performed by the district attorney.

5 **SECTION 3210.** 978.043 of the statutes is created to read:

6 **978.043 Assistants for prosecution of sexually violent person**
7 **commitment cases.** The district attorney of the prosecutorial unit that consists of
8 Brown County and the district attorney of the prosecutorial unit that consists of
9 Milwaukee County shall each assign one assistant district attorney in his or her
10 prosecutorial unit to be a sexually violent person commitment prosecutor. An
11 assistant district attorney assigned under this section to be a sexually violent person
12 commitment prosecutor may engage only in the prosecution of sexually violent
13 person commitment proceedings under ch. 980 and, at the request of the district
14 attorney of the prosecutorial unit, may file and prosecute sexually violent person
15 commitment proceedings under ch. 980 in any prosecutorial unit in this state.

16 **SECTION 3211.** 978.05 (8) (b) of the statutes is amended to read:

17 978.05 **(8)** (b) Hire, employ and supervise his or her staff and, subject to s.
18 978.043, make appropriate assignments of the staff throughout the prosecutorial
19 unit. The district attorney may request the assistance of district attorneys, deputy
20 district attorneys or assistant district attorneys from other prosecutorial units or
21 assistant attorneys general who then may appear and assist in the investigation and
22 prosecution of any matter for which a district attorney is responsible under this
23 chapter in like manner as assistants in the prosecutorial unit and with the same
24 authority as the district attorney in the unit in which the action is brought. Nothing

1 in this paragraph limits the authority of counties to regulate the hiring, employment
2 and supervision of county employes.

3 **SECTION 3211p.** 978.12 (5) (b) of the statutes is amended to read:

4 978.12 (5) (b) *Employes generally.* District attorneys and state employes of the
5 office of district attorney shall be included within the provisions of the Wisconsin
6 retirement system under ch. 40 as a participating employe of that office, except that
7 the district attorney and state employes of the office of district attorney in a county
8 having a population of 500,000 or more have the option provided under ~~par. (c)~~ s.
9 978.12 (5) (c), 1997 stats.

10 **SECTION 3211r.** 978.12 (5) (c) 5. of the statutes is repealed.

11 **SECTION 3211t.** 978.12 (6) of the statutes is renumbered 978.12 (6) (a) and
12 amended to read:

13 978.12 (6) (a) District attorneys and state employes of the office of district
14 attorney shall be included within all insurance benefit plans under ch. 40, except as
15 authorized in this subsection paragraph. Alternatively, the state shall provide
16 insurance benefit plans for district attorneys and state employes in the office of
17 district attorney in the manner provided in this subsection paragraph. A district
18 attorney or other employe of the office of district attorney who was employed in that
19 office as a county employe on December 31, 1989, and who received any form of fringe
20 benefits other than a retirement, deferred compensation or employe-funded
21 reimbursement account plan as a county employe, as defined by that county
22 pursuant to the county's personnel policies, or pursuant to a collective bargaining
23 agreement in effect on January 1, 1990, or the most recent collective bargaining
24 agreement covering represented employes who are not covered by such an
25 agreement, may elect to continue to be covered under all such fringe benefit plans

1 provided by the county after becoming a state employe. In a county having a
2 population of 500,000 or more, the fringe benefit plans shall include health insurance
3 benefits fully paid by the county for each retired employe who, on or after
4 December 31, 1989, attains at least 15 years of service in the office of district
5 attorney of that county, whether or not the service is as a county employe, for the
6 duration of the employe's life. An employe may make an election under this
7 ~~subsection~~ paragraph no later than January 31, 1990, except that an employe who
8 serves as an assistant district attorney in a county having a population of 500,000
9 or more may make an election under this ~~subsection~~ paragraph no later than
10 March 1, 1990. An election under this ~~subsection~~ paragraph shall be for the duration
11 of the employe's employment in the office of district attorney for the same county by
12 which the employe was employed or until the employe terminates the election under
13 this ~~subsection~~ paragraph, at the same cost to the county as the county incurs for a
14 similarly situated county employe. If Subject to par. (b), if the employer's cost for
15 such fringe benefits for any such employe is less than or equal to the cost for
16 comparable coverage under ch. 40, if any, the state shall reimburse the county for
17 that cost. If Subject to par. (b), if the employer's cost for such fringe benefits for any
18 such employe is greater than the cost for comparable coverage under ch. 40, the state
19 shall reimburse the county for the cost of comparable coverage under ch. 40 and the
20 county shall pay the remainder of the cost. The cost of comparable coverage under
21 ch. 40 shall equal the average cost of comparable coverage under ch. 40 for employes
22 in the office of the state public defender, as contained in budget determinations
23 approved by the joint committee on finance or the legislature under the biennial
24 budget act for the period during which the costs are incurred. An employe who makes
25 the election under this ~~subsection~~ paragraph may terminate that election, and shall

1 then be included within all insurance benefit plans under ch. 40, except that the
2 department of employe trust funds may require prior written notice, not exceeding
3 one year's duration, of an employe's intent to be included under any insurance benefit
4 plan under ch. 40.

5 **SECTION 3211v.** 978.12 (6) (b) of the statutes is created to read:

6 978.12 **(6)** (b) Beginning in the 1999–2000 fiscal year and ending in the
7 2003–04 fiscal year, the state shall in each fiscal year reduce its reimbursement of
8 the employer's cost for fringe benefits under par. (a) by \$80,000.

9 **SECTION 3212.** 978.13 (1) (b) of the statutes is amended to read:

10 978.13 **(1)** (b) In counties having a population of 500,000 or more, the salary
11 and fringe benefit costs of 2 clerk positions providing clerical services to the
12 prosecutors in the district attorney's office handling cases involving felony violations
13 under ch. 961. The state treasurer shall pay the amount authorized under this
14 paragraph to the county treasurer pursuant to a voucher submitted by the district
15 attorney to the department of administration from the appropriation under s. 20.475
16 (1) (i). The amount paid under this paragraph may not exceed ~~\$70,500~~ \$75,200 in
17 the ~~1997–98~~ 1999–2000 fiscal year and ~~\$73,000~~ \$77,500 in the ~~1998–99~~ 2000–01
18 fiscal year.

19 **SECTION 3213.** 978.13 (1) (c) of the statutes is amended to read:

20 978.13 **(1)** (c) In counties having a population of 500,000 or more, the salary and
21 fringe benefit costs of clerk positions in the district attorney's office necessary for the
22 prosecution of violent crime cases primarily involving felony violations under s.
23 939.63, if a felony is committed while armed, and under ss. 940.01 to 940.03, 940.05,
24 940.06, 940.225, 943.23 (1g), (1m) and (1r) and 943.32 (2). The state treasurer shall
25 pay the amount authorized under this paragraph to the county treasurer pursuant

1 to a voucher submitted by the district attorney to the secretary of administration
2 from the appropriation under s. 20.475 (1) (i). The amount paid under this paragraph
3 may not exceed ~~\$88,500~~ \$94,400 in the ~~1997–98~~ 1999–2000 fiscal year and ~~\$91,600~~
4 \$97,200 in the ~~1998–99~~ 2000–01 fiscal year.

5 **SECTION 3213c.** 978.13 (1) (d) of the statutes is created to read:

6 978.13 (1) (d) In counties having a population of 500,000 or more, the salary
7 and fringe benefit costs of 2 clerk positions providing clerical services to the
8 prosecutors in the district attorney’s office handling cases involving the unlawful
9 possession or use of firearms. The state treasurer shall pay the amount authorized
10 under this paragraph to the county treasurer from the appropriation under s. 20.475
11 (1) (f) pursuant to a voucher submitted by the district attorney to the department of
12 administration. The amount paid under this paragraph may not exceed \$51,300 in
13 the 1999–2000 fiscal year and \$64,400 in the 2000–01 fiscal year.

14 **SECTION 3216d.** 980.015 (2) (b) of the statutes is amended to read:

15 980.015 (2) (b) The anticipated release from a secured correctional facility, as
16 defined in s. 938.02 (15m), or a secured child caring institution, as defined in s. 938.02
17 (15g), or a secured group home, as defined in s. 938.02 (15p), of a person adjudicated
18 delinquent under s. 938.183 or 938.34 on the basis of a sexually violent offense.

19 **SECTION 3217d.** 980.02 (1) (b) 2. of the statutes is amended to read:

20 980.02 (1) (b) 2. The county in which the person will reside or be placed upon
21 his or her discharge from a sentence, release on parole or extended supervision, or
22 release from imprisonment, from a secured correctional facility, as defined in s.
23 938.02 (15m), or from a secured child caring institution, as defined in s. 938.02 (15g),
24 from a secured group home, as defined in s. 938.02 (15p), or from a commitment order.

25 **SECTION 3218d.** 980.02 (2) (ag) of the statutes is amended to read:

1 980.02 (2) (ag) The person is within 90 days of discharge or release, on parole,
2 extended supervision or otherwise, from a sentence that was imposed for a conviction
3 for a sexually violent offense, from a secured correctional facility, as defined in s.
4 938.02 (15m), ~~or from~~ a secured child caring institution, as defined in s. 938.02 (15g),
5 or from a secured group home, as defined in s. 938.02 (15p), if the person was placed
6 in the facility for being adjudicated delinquent under s. 938.183 or 938.34 on the
7 basis of a sexually violent offense or from a commitment order that was entered as
8 a result of a sexually violent offense.

9 **SECTION 3219d.** 980.02 (4) (am) of the statutes is amended to read:

10 980.02 (4) (am) The circuit court for the county in which the person will reside
11 or be placed upon his or her discharge from a sentence, release on parole or extended
12 supervision, or release from imprisonment, from a secured correctional facility, as
13 defined in s. 938.02 (15m), ~~or from~~ a secured child caring institution, as defined in
14 s. 938.02 (15g), from a secured group home, as defined in s. 938.02 (15p), or from a
15 commitment order.

16 **SECTION 3220d.** 980.02 (4) (b) of the statutes is amended to read:

17 980.02 (4) (b) The circuit court for the county in which the person is in custody
18 under a sentence, a placement to a secured correctional facility, as defined in s.
19 938.02 (15m), ~~or~~ a secured child caring institution, as defined in s. 938.02 (15g), or
20 a secured group home, as defined in s. 938.02 (15p), or a commitment order.

21 **SECTION 3221.** 980.03 (4) of the statutes is amended to read:

22 980.03 (4) Whenever ~~the~~ a person who is the subject of ~~the~~ a petition filed under
23 s. 980.02 or who has been committed under s. 980.06 is required to submit to an
24 examination under this chapter, he or she may retain experts or professional persons
25 to perform an examination. If the person retains a qualified expert or professional

1 person of his or her own choice to conduct an examination, the examiner shall have
2 reasonable access to the person for the purpose of the examination, as well as to the
3 person's past and present treatment records, as defined in s. 51.30 (1) (b), and patient
4 health care records as provided under s. 146.82 (2) (c). If the person is indigent, the
5 court shall, upon the person's request, appoint a qualified and available expert or
6 professional person to perform an examination and participate in the trial or other
7 proceeding on the person's behalf. Upon the order of the circuit court, the county
8 shall pay, as part of the costs of the action, the costs of a ~~court-appointed~~ an expert
9 or professional person appointed by a court under this subsection to perform an
10 examination and participate in the trial or other proceeding on behalf of an indigent
11 person. An expert or professional person appointed to assist an indigent person who
12 is subject to a petition may not be subject to any order by the court for the
13 sequestration of witnesses at any proceeding under this chapter.

14 **SECTION 3222d.** 980.04 (1) of the statutes is amended to read:

15 980.04 (1) Upon the filing of a petition under s. 980.02, the court shall review
16 the petition to determine whether to issue an order for detention of the person who
17 is the subject of the petition. The person shall be detained only if there is cause to
18 believe that the person is eligible for commitment under s. 980.05 (5). A person
19 detained under this subsection shall be held in a facility approved by the department.
20 If the person is serving a sentence of imprisonment, is in a secured correctional
21 facility, as defined in s. 938.02 (15m), ~~or~~ a secured child caring institution, as defined
22 in s. 938.02 (15g), or a secured group home, as defined in s. 938.02 (15p), or is
23 committed to institutional care, and the court orders detention under this
24 subsection, the court shall order that the person be transferred to a detention facility
25 approved by the department. A detention order under this subsection remains in

1 effect until the person is discharged after a trial under s. 980.05 or until the effective
2 date of a commitment order under s. 980.06, whichever is applicable.

3 **SECTION 3223c.** 980.05 (6) of the statutes is repealed.

4 **SECTION 3223h.** 980.06 (1) of the statutes is renumbered 980.06 and amended
5 to read:

6 **980.06 Commitment.** If a court or jury determines that the person who is the
7 subject of a petition under s. 980.02 is a sexually violent person, the court shall order
8 the person to be committed to the custody of the department for control, care and
9 treatment until such time as the person is no longer a sexually violent person. A
10 commitment order under this section shall specify that the person be placed in
11 institutional care.

12 **SECTION 3223i.** 980.06 (2) (a) of the statutes is repealed.

13 **SECTION 3223j.** 980.06 (2) (b) of the statutes is repealed.

14 **SECTION 3223k.** 980.06 (2) (c) of the statutes is repealed.

15 **SECTION 3223L.** 980.06 (2) (d) of the statutes is renumbered 980.08 (6m) and
16 amended to read:

17 **980.08 (6m)** An order for supervised release places the person in the custody
18 and control of the department. The department shall arrange for control, care and
19 treatment of the person in the least restrictive manner consistent with the
20 requirements of the person and in accordance with the plan for supervised release
21 approved by the court under sub. (5). A person on supervised release is subject to the
22 conditions set by the court and to the rules of the department. Before a person is
23 placed on supervised release by the court under this section, the court shall so notify
24 the municipal police department and county sheriff for the municipality and county
25 in which the person will be residing. The notification requirement under this

1 ~~paragraph subsection~~ does not apply if a municipal police department or county
2 sheriff submits to the court a written statement waiving the right to be notified. If
3 the department alleges that a released person has violated any condition or rule, or
4 that the safety of others requires that supervised release be revoked, he or she may
5 be taken into custody under the rules of the department. The department shall
6 submit a statement showing probable cause of the detention and a petition to revoke
7 the order for supervised release to the committing court and the regional office of the
8 state public defender responsible for handling cases in the county where the
9 committing court is located within ~~48~~ 72 hours after the detention, excluding
10 Saturdays, Sundays and legal holidays. The court shall hear the petition within 30
11 days, unless the hearing or time deadline is waived by the detained person. Pending
12 the revocation hearing, the department may detain the person in a jail or in a
13 hospital, center or facility specified by s. 51.15 (2). The state has the burden of
14 proving by clear and convincing evidence that any rule or condition of release has
15 been violated, or that the safety of others requires that supervised release be
16 revoked. If the court determines after hearing that any rule or condition of release
17 has been violated, or that the safety of others requires that supervised release be
18 revoked, it may revoke the order for supervised release and order that the released
19 person be placed in an appropriate institution until the person is discharged from the
20 commitment under s. 980.09 or until again placed on supervised release under s.
21 ~~980.08~~ this section.

22 **SECTION 3230m.** 980.065 (1m) of the statutes is amended to read:

23 980.065 (1m) The department ~~may~~ shall place a person committed to
24 ~~institutional care~~ under s. 980.06 (2) (b) at a ~~mental health unit or facility, including~~
25 a the secure mental health unit or facility at established under s. 46.055, the

1 Wisconsin resource center established under s. 46.056 or a secure mental health unit
2 or facility provided by the department of corrections under sub. (2).

3 **SECTION 3231m.** 980.065 (2) of the statutes is amended to read:

4 980.065 (2) The department may contract with the department of corrections
5 for the provision of a secure mental health unit or facility for persons committed to
6 ~~institutional care~~ under s. 980.06 (2) (b). The department shall operate a secure
7 mental health unit or facility provided by the department of corrections under this
8 subsection and shall promulgate rules governing the custody and discipline of
9 persons placed by the department in the secure mental health unit or facility
10 provided by the department of corrections under this subsection.

11 **SECTION 3232.** 980.07 (1) of the statutes is amended to read:

12 980.07 (1) If a person has been committed under s. 980.06 and has not been
13 discharged under s. 980.09, the department shall conduct an examination of his or
14 her mental condition within 6 months after an initial commitment under s. 980.06
15 and again thereafter at least once each 12 months for the purpose of determining
16 whether the person has made sufficient progress ~~to be entitled to transfer to a less~~
17 ~~restrictive facility, to~~ for the court to consider whether the person should be placed
18 on supervised release or to discharge discharged. At the time of a reexamination
19 under this section, the person who has been committed may retain or, ~~if he or she is~~
20 ~~indigent and so requests,~~ seek to have the court may appoint a qualified expert or a
21 professional person to examine him or her an examiner as provided under s. 980.03
22 (4).

23 **SECTION 3232p.** 980.08 (1) of the statutes is amended to read:

24 980.08 (1) Any person who is committed ~~to institutional care~~ under s. 980.06
25 may petition the committing court to modify its order by authorizing supervised

1 release if at least ~~6~~ 18 months have elapsed since the initial commitment order was
2 entered, ~~or at least 6 months have elapsed since~~ the most recent release petition was
3 denied or the most recent order for supervised release was revoked. The director of
4 the facility at which the person is placed may file a petition under this subsection on
5 the person's behalf at any time.

6 **SECTION 3233.** 980.08 (3) of the statutes is amended to read:

7 980.08 (3) Within 20 days after receipt of the petition, the court shall appoint
8 one or more examiners having the specialized knowledge determined by the court to
9 be appropriate, who shall examine the person and furnish a written report of the
10 examination to the court within 30 days after appointment. The examiners shall
11 have reasonable access to the person for purposes of examination and to the person's
12 past and present treatment records, as defined in s. 51.30 (1) (b), and patient health
13 care records, as provided under s. 146.82 (2) (c). If any such examiner believes that
14 the person is appropriate for supervised release under the criterion specified in sub.
15 (4), the examiner shall report on the type of treatment and services that the person
16 may need while in the community on supervised release. The county shall pay the
17 costs of an examiner appointed under this subsection as provided under s. 51.20 (18)
18 (a).

19 **SECTION 3234m.** 980.08 (4) of the statutes is amended to read:

20 980.08 (4) The court, without a jury, shall hear the petition within 30 days after
21 the report of the court-appointed examiner is filed with the court, unless the
22 petitioner waives this time limit. Expenses of proceedings under this subsection
23 shall be paid as provided under s. 51.20 (18) (b), (c) and (d). The court shall grant the
24 petition unless the state proves by clear and convincing evidence that the person is
25 still a sexually violent person and that it is still substantially probable that the

1 person will engage in acts of sexual violence if the person is not continued in
2 institutional care. In making a decision under this subsection, the court may
3 consider, without limitation because of enumeration, the nature and circumstances
4 of the behavior that was the basis of the allegation in the petition under s. 980.02 (2)
5 (a), the person's mental history and present mental condition, where the person will
6 live, how the person will support himself or herself and what arrangements are
7 available to ensure that the person has access to and will participate in necessary
8 treatment, including pharmacological treatment using an antiandrogen or the
9 chemical equivalent of an antiandrogen if the person is a serious child sex offender.
10 A decision under this subsection on a petition filed by a person who is a serious child
11 sex offender may not be made based on the fact that the person is a proper subject
12 for pharmacological treatment using an antiandrogen or the chemical equivalent of
13 an antiandrogen or on the fact that the person is willing to participate in
14 pharmacological treatment using an antiandrogen or the chemical equivalent of an
15 antiandrogen.

16 **SECTION 3238d.** 980.08 (6) of the statutes is repealed.

17 **SECTION 3238h.** 980.09 (1) (c) of the statutes is amended to read:

18 980.09 (1) (c) If the court is satisfied that the state has not met its burden of
19 proof under par. (b), the petitioner shall be discharged from the custody or
20 supervision of the department. If the court is satisfied that the state has met its
21 burden of proof under par. (b), the court may proceed ~~under s. 980.06~~ to determine,
22 using the criterion specified in s. 980.08 (4), whether to modify the petitioner's
23 existing commitment order by authorizing supervised release.

24 **SECTION 3238j.** 980.09 (2) (c) of the statutes is amended to read:

1 980.09 (2) (c) If the court is satisfied that the state has not met its burden of
2 proof under par. (b), the person shall be discharged from the custody or supervision
3 of the department. If the court is satisfied that the state has met its burden of proof
4 under par. (b), the court may proceed ~~under s. 980.06~~ to determine, using the
5 criterion specified in s. 980.08 (4), whether to modify the person's existing
6 commitment order by authorizing supervised release.

7 **SECTION 3238t.** 980.11 (2) (intro.) of the statutes is amended to read:

8 980.11 (2) (intro.) If the court places a person on supervised release under s.
9 ~~980.06~~ 980.08 or discharges a person under s. 980.09 or 980.10, the department shall
10 do all of the following:

11 **SECTION 3239.** 980.12 (1) of the statutes is amended to read:

12 980.12 (1) The Except as provided in ss. 980.03 (4) and 980.08 (3), the
13 department shall pay from the appropriations under s. 20.435 (2) (a) and (bm) for all
14 costs relating to the evaluation, treatment and care of persons evaluated or
15 committed under this chapter.

16 **SECTION 3239d.** 980.12 (2) of the statutes is amended to read:

17 980.12 (2) By February 1, 2002, the department shall submit a report to the
18 legislature under s. 13.172 (2) concerning the extent to which pharmacological
19 treatment using an antiandrogen or the chemical equivalent of an antiandrogen has
20 been required as a condition of supervised release under s. 980.06, 1997 stats., or s.
21 980.08 and the effectiveness of the treatment in the cases in which its use has been
22 required.

23 **SECTION 3240.** 985.01 (1) of the statutes is renumbered 985.01 (1m).

24 **SECTION 3241.** 985.01 (1g) of the statutes is created to read:

1 985.01 **(1g)** “Governing body” has the meaning given in s. 345.05 (1) (b) and
2 includes a family care district board under s. 46.2895.

3 **SECTION 3242.** 985.01 (3) of the statutes is amended to read:

4 985.01 **(3)** “Municipality” has the meaning in s. 345.05 (1) (c) and “governing
5 body” the meaning in s. 345.05 (1) (b) with reference to such municipality includes
6 a family care district under s. 46.2895.

7 **SECTION 3242g.** 985.03 (1) (a) (intro.) of the statutes is amended to read:

8 985.03 **(1)** (a) (intro.) No Except as provided in par. (am), no publisher of any
9 newspaper in this state shall be awarded or be entitled to any compensation or fee
10 for the publishing of any legal notice unless, for at least 2 of the 5 years immediately
11 before the date of the notice publication, the newspaper has been published regularly
12 and continuously in the city, village or town where published, and has had a bona fide
13 paid circulation:

14 **SECTION 3242i.** 985.03 (1) (a) 2. of the statutes is amended to read:

15 985.03 **(1)** (a) 2. That has had actual subscribers at each publication of not less
16 than 1,000 copies in 1st and 2nd class cities, or 300 copies if in 3rd and class cities
17 or 150 copies if in 4th class cities, villages or towns.

18 **SECTION 3242m.** 985.03 (1) (am) of the statutes is created to read:

19 985.03 **(1)** (am) The requirement that, for a newspaper to receive any
20 compensation or fee for publishing a legal notice, the newspaper be published
21 regularly and continuously in the city, village or town where published for at least
22 2 of the 5 years immediately before the date of the notice publication does not apply
23 to a newspaper publishing a legal notice at the request of a 4th class city, village or
24 town.

25 **SECTION 3243a.** 992.21 of the statutes is created to read:

1 **992.21 Actions by division of savings and loan validated.** Any action
2 taken by the division of savings and loan between July 1, 1996, and the effective date
3 of this section [revisor inserts date], under the name of the division of savings
4 institutions has the same force and effect in all respects as if the action had been
5 taken under the name of the division of savings and loan.

6 **SECTION 3244.** Laws of 1929, chapter 151, section 1 is amended to read:

7 [Laws of 1929, chapter 151] Section 1. All the right, title and interest of the
8 state of Wisconsin in the lands hereinafter described, whether any part or parcel
9 thereof may be, at the time of the passage and publication of this act, dry or
10 submerged under the waters of Lake Michigan are hereby ceded, granted and
11 confirmed to the city of Milwaukee, a municipal corporation, for the purpose of
12 improving, filling, and utilizing the same for public park purposes or in aid of
13 navigation and the fisheries, in any manner the said city may deem expedient, ~~and~~
14 ~~particularly for the purpose of.~~ Such land may also be used for the purpose of
15 establishing and maintaining thereon breakwaters, bulkheads, piers, wharves,
16 warehouses, transfer sheds, railway tracks, airports, and other harbor facilities,
17 together with such other uses not inconsistent with the improvement of navigation
18 and fisheries in Lake Michigan, and the navigable waters tributary thereto, as said
19 city may deem expedient.

20 **SECTION 3245.** Laws of 1929, chapter 151, section 3 is amended to read:

21 [Laws of 1929, chapter 151] Section 3. The said grantee, the city of Milwaukee,
22 shall not convey any portion or the whole of the lands so granted, ceded and
23 confirmed, and described in section 2 of this act, to any other party, either by
24 warranty deed, quit claim, or in any other manner, except that it may convey to the
25 government of the United States such portion thereof as may be desirable for the

1 promotion of navigation; and it may also convey said lands to any harbor district or
2 other public corporation that may hereafter be organized, under any law of this state,
3 for public park purposes or for the purpose of maintaining and operating a public
4 port; and it may further lease for limited terms not exceeding thirty years, such
5 particular parcels or portions thereof as the board of harbor commissioners may
6 deem expedient, to parties desiring to employ such leased portions and parcels for
7 public park purposes or in the maintaining, operating or using of any harbor facilities
8 thereon.

9 **SECTION 3246.** Laws of 1929, chapter 151, section 4 is amended to read:

10 [Laws of 1929, chapter 151] Section 4. Whenever the said city of Milwaukee
11 shall convey or attempt to convey the whole or any portion of the lands hereby
12 granted, ceded or confirmed, to any other party except as herein provided, or shall
13 use said lands or any part thereof for purposes permanently inconsistent with their
14 use for public park purposes or for the promotion of navigation and the fisheries, such
15 land, or any part thereof so conveyed or attempted to be conveyed, or used
16 inconsistently as hereinabove stated, shall revert to the state of Wisconsin.

17 **SECTION 3247.** Laws of 1973, chapter 76, section 1 is amended to read:

18 [Laws of 1973, chapter 76] Section 1. All the right, title and interest of the state
19 of Wisconsin in the lands hereinafter described, whether any part or parcel thereof
20 may be, at the time of the passage and publication of this act, dry or submerged under
21 the waters of Lake Michigan are hereby ceded, granted and confirmed to the city of
22 Milwaukee, a municipal corporation, for the purpose of improving, filling, and
23 utilizing the same for public park purposes or in aid of navigation and the fisheries
24 and in addition for such further and other use which the board of harbor
25 commissioners of the city of Milwaukee may deem appropriate and expedient and

1 which the common council approves by resolution. Such land ~~shall~~ may also be used
2 for the purpose of establishing and maintaining thereon breakwaters, bulkheads,
3 piers, wharves, warehouses, transfer sheds, railway tracks, airports, and other
4 harbor facilities, together with such other uses not inconsistent with the
5 improvement of navigation and fisheries in Lake Michigan, and the navigable
6 waters tributary thereto, as the city may deem expedient.

7 **SECTION 3248.** Laws of 1973, chapter 76, section 3 is amended to read:

8 [Laws of 1973, chapter 76] Section 3. The city of Milwaukee, shall not convey
9 any portion or the whole of the lands so granted, ceded and confirmed, and described
10 in SECTION 2 of this act, to any other party, either by warranty deed, quit claim, or
11 in any other manner, except that it may convey to the government of the United
12 States such portion thereof as may be desirable for the promotion of navigation; and
13 it may also convey lands to any harbor district or other public corporation that may
14 hereafter be organized, under any law of this state, for public park purposes or for
15 the purpose of maintaining and operating a public port; and it may further lease for
16 an initial term not exceeding 30 years, such particular parcels or portions thereof as
17 the board of harbor commissioners considers advisable, to parties desiring to employ
18 such leased portions and parcels for public park purposes or in a manner determined
19 by the board of harbor commissioners to be for the best interests of port and harbor
20 development.

21 **SECTION 3261.** 1997 Wisconsin Act 4, section 4 (1) (a), as last affected by 1997
22 Wisconsin Act 27, section 5510s, is amended to read:

23 [1997 Wisconsin Act 4] Section 4 (1) (a) Notwithstanding 1995 Wisconsin Act
24 27, section 9126 (23) and (26v), the department of corrections may, from July 1, 1997,
25 until July 1, ~~1999~~ 2001, operate the juvenile secured correctional facility, as defined

1 in section 938.02 (15m) of the statutes, authorized under 1995 Wisconsin Act 27,
2 section 9126 (26v), as a state prison named in section 302.01 of the statutes, as
3 affected by this act, for the placement of prisoners, as defined in section 301.01 (2)
4 of the statutes, who are not more than 21 years of age and who are not violent
5 offenders, as determined by the department of corrections.

6 **SECTION 3261d.** 1997 Wisconsin Act 27, section 44d is repealed.

7 **SECTION 3261dc.** 1997 Wisconsin Act 27, section 59d is repealed.

8 **SECTION 3261dd.** 1997 Wisconsin Act 27, section 119d is repealed.

9 **SECTION 3261ddc.** 1997 Wisconsin Act 27, section 200d is repealed.

10 **SECTION 3261dde.** 1997 Wisconsin Act 27, section 204d is repealed.

11 **SECTION 3261ddg.** 1997 Wisconsin Act 27, section 205d is repealed.

12 **SECTION 3261de.** 1997 Wisconsin Act 27, section 750 is repealed.

13 **SECTION 3261df.** 1997 Wisconsin Act 27, section 1167d is repealed.

14 **SECTION 3261dfb.** 1997 Wisconsin Act 27, section 1664f is repealed.

15 **SECTION 3261dfc.** 1997 Wisconsin Act 27, section 2059f is repealed.

16 **SECTION 3261dg.** 1997 Wisconsin Act 27, section 3620m is repealed.

17 **SECTION 3261dh.** 1997 Wisconsin Act 27, section 4338c is repealed.

18 **SECTION 3261dha.** 1997 Wisconsin Act 27, section 4338e is repealed.

19 **SECTION 3261dhb.** 1997 Wisconsin Act 27, section 4338g is repealed.

20 **SECTION 3261dhc.** 1997 Wisconsin Act 27, section 4338i is repealed.

21 **SECTION 3261di.** 1997 Wisconsin Act 27, section 4349d is repealed.

22 **SECTION 3261dj.** 1997 Wisconsin Act 27, section 4497d is repealed.

23 **SECTION 3261g.** 1997 Wisconsin Act 27, section 9101 (11h) is repealed.

24 **SECTION 3261m.** 1997 Wisconsin Act 27, section 9107 (1) (b) 1. is amended to

25 read:

1 [1997 Wisconsin Act 27] Section 9107 (1) (b)

2 1. *Projects financed by general fund supported borrowing:*

3 Probation and parole holding facility/~~alcohol~~ and
4 alcohol and other drug abuse treatment facility to
5 provide ~~600 beds in southeastern Wisconsin~~ the city
6 of Milwaukee

\$ 49,800,000

7 Medium security correctional facility or facilities to
8 provide 1,000 beds

74,800,000

9 (Total project all funding sources \$85,000,000)

10 Green Bay Correctional Institution — expansion of
11 segregation unit by 42 cells

500,000

12 Perimeter security enhancement at maximum
13 security correctional institution under s. 301.16
14 (1n), stats.

750,000

15 Perimeter security improvement at Oakhill
16 Correctional Institution

600,000

17 Ethan Allen School — gate house facility

990,000

18 **SECTION 3261p.** 1997 Wisconsin Act 27, section 9107 (2) is repealed.

19 **SECTION 3262.** 1997 Wisconsin Act 27, section 9410 (5g) is repealed.

20 **SECTION 3262g.** 1997 Wisconsin Act 27, section 9423 (9ptt) is repealed.

21 **SECTION 3262m.** 1997 Wisconsin Act 27, section 9456 (3m) is amended to read:

22 [1997 Wisconsin Act 27] Section 9456 (3m) ELIMINATION OF LAND INFORMATION

23 BOARD AND ~~WISCONSIN LAND COUNCIL~~. The treatment of sections 15.07 (1) (b) 16.,

24 15.105 (16), 16.968 (by SECTION 142am), 20.505 (1) (title) (by SECTION 666h), ~~20.505~~

1 ~~(1) (ka) (by SECTION 669am),~~ 23.27 (3) (a) (by SECTION 769ad), 23.325 (1) (a), 36.09 (1)
2 (e), 36.25 (12m) (intro.), 59.43 (2) (ag) 1. and (e), 59.72 (1) (a) and (b), (3) (intro.), (a)
3 and (b) and (5) and 92.10 (4) (a) of the statutes, the repeal of sections 16.966 (1), (2)
4 and (4), 16.967 (title) and (1) to (9), 20.505 (1) (ie), (ig), and (ij) and (ks), 23.32 (2) (d),
5 59.43 (1) (u) and 59.72 (1) (am), (3) (c) and (4) of the statutes and Section 9101 (1) of
6 this act take effect on September 1, ~~2003~~ 2005.

7 **SECTION 3262n.** 1997 Wisconsin Act 27, section 9456 (3n) is created to read:

8 [1997 Wisconsin Act 27] Section 9456 (3n) ELIMINATION OF WISCONSIN LAND
9 COUNCIL. The treatment of section 20.505 (1) (ka) (by SECTION 669am) of the statutes
10 and the repeal of sections 16.967 (10) and 20.505 (1) (ks) of the statutes take effect
11 on September 1, 2003.

12 **SECTION 3263.** 1997 Wisconsin Act 84, section 168 (intro.) is amended to read:

13 [1997 Wisconsin Act 84] Section 168. **Effective dates.** (intro.) This act takes
14 effect on the date stated in the notice published by the secretary of transportation
15 in the Wisconsin Administrative Register under section 85.515 of the statutes, as
16 created by this act, or on ~~the first day of the 25th month beginning after publication~~
17 May 1, 2001, whichever is earlier, except as follows:

18 **SECTION 3264.** 1997 Wisconsin Act 154, section 3 (1) is amended to read:

19 [1997 Wisconsin Act 154] Section 3 (1) STATEWIDE TRAUMA CARE SYSTEM; REPORT.
20 The department of health and family services and the statewide trauma advisory
21 council shall prepare a joint report on the development and implementation of a
22 statewide trauma care system. The report shall make recommendations on issues
23 that need to be resolved in developing and implementing the system, including
24 minimum services in rendering patient care; transport protocols; area trauma
25 advisory councils and plans; development of a method to classify hospitals as to their

1 respective emergency care capabilities and methods to make the resulting
2 information available for public use; improving the communications systems
3 between hospitals and prehospital elements of the trauma care system; development
4 of a statewide trauma registry, including a data system to measure the effectiveness
5 of trauma care and to develop ways to promote ongoing quality improvement; triage;
6 interfacility transfers; enhancing the training and education of health care
7 personnel involved in the provision of trauma care services; and monitoring
8 adherence to rules. Not later than January 1, ~~2000~~ 2001, the department and the
9 statewide trauma advisory council shall submit the report to the legislature in the
10 manner provided under section 13.172 (2) of the statutes, to the joint committee on
11 finance of the legislature as provided in subsection (2), to the governor and to the
12 emergency medical services board.

13 **SECTION 9101. Nonstatutory provisions; administration.**

14 (1mb) AUTHORIZED POSITIONS. The authorized FTE positions for the department
15 of administration, funded from the appropriation under section 20.505 (4) (o) of the
16 statutes, are increased by 1.0 FED position to administer learn and serve grants.

17 (1zt) INITIAL APPOINTMENTS TO COUNCIL ON UTILITY PUBLIC BENEFITS.
18 Notwithstanding section 15.107 (17) (intro.) of the statutes, as created by this act,
19 the initial members of the council on utility public benefits shall be appointed for the
20 following terms:

21 (a) One of the members under section 15.107 (17) (a), (b) and (d) of the statutes,
22 as created by this act, for terms expiring on July 1, 2001.

23 (b) One of the members under section 15.107 (17) (a) of the statutes, as created
24 by this act, and the members under section 15.107 (17) (c), (e) and (f) of the statutes,
25 as created by this act, for terms expiring on July 1, 2002.

1 (c) One of the members under section 15.107 (17) (b) and (d) of the statutes, as
2 created by this act, and the members under section 15.107 (17) (g) and (h) of the
3 statutes, as created by this act, for terms expiring on July 1, 2003.

4 (1zu) UTILITY PUBLIC BENEFITS AND TRANSMISSION LINE RULES.

5 (a) Using the procedure under section 227.24 of the statutes, the department
6 of administration shall, no later than 60 days after the effective date of this
7 subsection, promulgate the rules required under section 16.957 (4) (b) of the statutes,
8 as created by this act, for the period before the effective date of the permanent rules
9 promulgated under that section, but not to exceed the period authorized under
10 section 227.24 (1) (c) and (2) of the statutes. Notwithstanding section 227.24 (1) and
11 (3) of the statutes, the department is not required to make a finding of emergency.
12 Notwithstanding section 16.957 (4) (b) (intro.) of the statutes, as created by this act,
13 the department of administration is not required to consult with the council on utility
14 public benefits in promulgating rules under this paragraph.

15 (am) Using the procedure under section 227.24 of the statutes, the department
16 of administration shall promulgate the rules required under sections 16.957 (2) (c)
17 and 16.969 (2) of the statutes, as created by this act, for the period before the effective
18 date of the permanent rules promulgated under those sections, but not to exceed the
19 period authorized under section 227.24 (1) (c) and (2) of the statutes.
20 Notwithstanding section 227.24 (1) and (3) of the statutes, the department is not
21 required to make a finding of emergency.

22 (b) The department of administration shall submit in proposed form the rules
23 required under sections 16.957 (2) (c) and (4) (b) and 16.969 (2) of the statutes, as
24 created by this act, to the legislative council staff under section 227.15 (1) of the

1 statutes no later than the first day of the 6th month beginning after the effective date
2 of this paragraph.

3 (1zv) PUBLIC BENEFITS FEES.

4 (a) Notwithstanding section 16.957 (4) (c) 1. (intro.) of the statutes, as created
5 by this act, the department of administration shall ensure that, for fiscal year
6 1999–2000, the portion of the public benefits fee that is specified in section 16.957
7 (4) (c) 1. (intro.) of the statutes, as created by this act, is reduced in proportion to the
8 length of time that has elapsed in that fiscal year at the time that the rules specified
9 in subsection (1zu) (a) become effective.

10 (b) Notwithstanding section 16.957 (4) (c) 2. of the statutes, as created by this
11 act, the department of administration shall ensure that, for fiscal year 1999–2000,
12 the portion of the public benefits fee that is specified in section 16.957 (4) (c) 2. of the
13 statutes, as created by this act, is reduced in proportion to the length of time that has
14 elapsed in that fiscal year at the time that the rules specified in subsection (1zu) (a)
15 become effective.

16 (c) Notwithstanding section 16.957 (5) (a) of the statutes, as created by this act,
17 for fiscal year 1999–2000, the annual average amount of the monthly public benefits
18 fee that retail electric cooperatives and municipalities are required to charge to each
19 customer or member shall be reduced in proportion to the length of time that has
20 elapsed in that fiscal year as of the effective date of the rules promulgated under
21 subsection (1zu) (a). Upon the request of a retail electric cooperative or municipality,
22 the department of administration shall provide advice as to the amount of a
23 reduction that is required under this paragraph.

1 (1zw) PHASE-IN OF WEATHERIZATION AND ENERGY CONSERVATION AWARDS.

2 Notwithstanding section 16.957 (2) (a) (intro.) of the statutes, as created by this act,
3 the department of administration shall do each of the following:

4 (a) Specify a schedule for fiscal years 1999–2000 and 2000–01 for phasing in
5 the requirement to spend the amount specified in section 16.957 (2) (a) of the
6 statutes, as created by this act, on weatherization and other energy conservation
7 services.

8 (b) Ensure that grants under section 16.957 (2) (a) of the statutes, as created
9 by this act, are made in accordance with the schedule specified in paragraph (a).

10 (2) PROSECUTION OF DRUG CRIMES; DANE COUNTY. From federal and program
11 revenue moneys appropriated to the department of administration for the office of
12 justice assistance under section 20.505 (6) (kp) of the statutes, as affected by this act,
13 and section 20.505 (6) (pb) of the statutes, the department shall expend \$83,600 in
14 fiscal year 1999–2000 and \$87,800 in fiscal year 2000–01 to provide the
15 multijurisdictional enforcement group serving Dane County with funding for one
16 assistant district attorney to prosecute criminal violations of chapter 961 of the
17 statutes.

18 (3) PROSECUTION OF DRUG CRIMES; MILWAUKEE COUNTY. From federal and
19 program revenue moneys appropriated to the department of administration for the
20 office of justice assistance under section 20.505 (6) (kp) of the statutes, as affected
21 by this act, and section 20.505 (6) (pb) of the statutes, the department shall expend
22 \$263,000 in fiscal year 1999–2000 and \$271,300 in fiscal year 2000–01 to provide the
23 multijurisdictional enforcement group serving Milwaukee County with funding for
24 3 assistant district attorneys to prosecute criminal violations of chapter 961 of the
25 statutes.

1 (3c) REIMBURSEMENT TO MILWAUKEE COUNTY FOR COMPUTER PURCHASE. From the
2 appropriation under section 20.475 (1) (f) of the statutes, as created by this act, the
3 department of administration shall reimburse Milwaukee County \$12,000 in fiscal
4 year 1999–2000 for the cost of purchasing computers to be used by prosecutors in the
5 district attorney’s office handling cases involving the unlawful possession or use of
6 firearms and by the clerks providing clerical services to those prosecutors.

7 (3d) DISTRICT ATTORNEY POSITION REALLOCATIONS.

8 (a) *Increased allocations.* Of the authorized FTE GPR assistant district
9 attorney positions for the department of administration funded from the
10 appropriation under section 20.475 (1) (d) of the statutes, the number of positions
11 allocated to the following prosecutorial units shall be increased as follows: 1.0
12 position for Sauk County, to be assigned to serve Columbia, Marquette and Sauk
13 counties; and 0.5 position for La Crosse County.

14 (b) *Decreased allocations.* Of the authorized FTE GPR assistant district
15 attorney positions for the department of administration funded from the
16 appropriation under section 20.475 (1) (d) of the statutes, the number of positions
17 allocated to the following prosecutorial units shall be decreased as follows: 1.25
18 positions for Milwaukee County; and 0.5 position for Columbia County.

19 (3x) REGULATION OF MOBILE HOME PARKS, MOBILE HOME DEALERS AND MOBILE HOME
20 SALESPERSONS.

21 (a) *Employe transfers.* There are transferred from the department of
22 administration to the department of commerce 3.0 FTE incumbent employes holding
23 positions in the division of housing in the department of administration performing
24 duties that are primarily related to regulating mobile home parks, mobile home
25 dealers and mobile home salespersons.

1 (b) *Employee status.* Employees transferred under paragraph (a) have all of the
2 rights and the same status under subchapter V of chapter 111 and chapter 230 of the
3 statutes in the department of commerce that they enjoyed in the department of
4 administration immediately before the transfer. Notwithstanding section 230.28 (4)
5 of the statutes, no employ so transferred who has attained permanent status in class
6 is required to serve a probationary period.

7 (c) *Rules and orders.* All rules promulgated by the department of
8 administration primarily related to mobile home parks, mobile home dealers and
9 mobile home salespersons that are in effect on the effective date of this paragraph
10 shall become rules of the department of commerce and shall remain in effect until
11 their specified expiration dates or until amended or repealed by the department of
12 commerce. All orders issued by the department of administration primarily related
13 to mobile home parks, mobile home dealers and mobile home salespersons that are
14 in effect on the effective date of this paragraph shall become orders of the department
15 of commerce and shall remain in effect until their specified expiration dates or until
16 modified or rescinded by the department of commerce.

17 (d) *Assets and liabilities.* On the effective date of this paragraph, the assets and
18 liabilities of the department administration primarily related to the regulation of
19 mobile home parks, mobile home dealers and mobile home salespersons, as
20 determined by the secretary of administration, shall become the assets and liabilities
21 of the department of commerce.

22 (e) *Tangible personal property.* On the effective date of this paragraph, all
23 tangible personal property, including records, of the department of administration
24 that is primarily related to the regulation of mobile home parks, mobile home dealers

1 and mobile home salespersons, as determined by the secretary of administration, is
2 transferred to the department of commerce.

3 (f) *Contracts.* All contracts entered into by the department of administration
4 in effect on the effective date of this paragraph that are primarily related to the
5 regulation of mobile home parks, mobile home dealers and mobile home
6 salespersons, as determined by the secretary of administration, remain in effect and
7 are transferred to the department of commerce. The department of commerce shall
8 carry out any obligations under such a contract until the contract is modified or
9 rescinded by the department of commerce to the extent allowed under the contract.

10 (g) *Pending matters.* Any matter pending with the department of
11 administration on the effective date of this paragraph that is primarily related to the
12 regulation of mobile home parks, mobile home dealers and mobile home
13 salespersons, as determined by the secretary of administration, is transferred to the
14 department of commerce and all materials submitted to or actions taken by the
15 department of administration with respect to the pending matter are considered as
16 having been submitted to or taken by the department of commerce.

17 (4) INFORMATION CONCERNING SEXUALLY VIOLENT PERSON COMMITMENT CASES.

18 (a) In any case in which the district attorney files a sexually violent person
19 petition under section 980.02 (1) (b) of the statutes on or after the effective date of
20 this paragraph but before July 1, 2001, the district attorney shall maintain a record
21 of the amount of time spent by the district attorney and by any deputy district
22 attorneys or assistant district attorneys doing all of the following:

23 1. Prosecuting the petition through trial under section 980.05 of the statutes
24 and, if applicable, commitment of the person subject to the petition under section
25 980.06 of the statutes, as affected by this act.

1 2. If applicable, representing the state on petitions brought by the person who
2 is the subject of the petition for supervised release under section 980.08 of the
3 statutes, as affected by this act, or for discharge under section 980.09 or 980.10 of the
4 statutes.

5 (b) Annually, on a date specified by the department of administration, the
6 district attorney shall submit to the department of administration a report
7 summarizing the records under paragraph (a) covering the preceding 12-month
8 period. The department of administration shall maintain the information submitted
9 under this paragraph by district attorneys.

10 (5) PURCHASE, REPLACEMENT AND MAINTENANCE OF STATE CRIME LABORATORY
11 EQUIPMENT. The secretary of administration shall allocate \$254,700 in fiscal year
12 1999–2000 and \$254,700 in fiscal year 2000–01 from the appropriations under
13 section 20.505 (6) (kt) of the statutes, as affected by this act, and section 20.505 (6)
14 (pc) of the statutes to provide the department of justice with funding for the
15 purchase, replacement and maintenance of state crime laboratory equipment.

16 (5g) WAUSAU CRIME LABORATORY EXPANSION. The department of administration
17 shall study the feasibility of expanding the state crime laboratory in the city of
18 Wausau and shall develop a plan for providing space for the deoxyribonucleic acid
19 and serology unit that is proposed to be located at the laboratory. No later than
20 December 31, 1999, the department shall submit a report to the legislature
21 presenting the results of the study and the plan it has developed. The report shall
22 be submitted to the legislature in the manner provided in section 13.172 (2) of the
23 statutes.

24 (6) PURCHASE OF EQUIPMENT OF DEOXYRIBONUCLEIC ACID ANALYSIS. In fiscal year
25 1999–2000, the secretary of administration shall allocate \$226,800 from the

1 appropriations under section 20.505 (6) (kt) of the statutes, as affected by this act,
2 and section 20.505 (6) (pc) of the statutes to provide the department of justice with
3 funding for the purchase of equipment for analyzing deoxyribonucleic acid using the
4 short tandem repeat method.

5 (7) CONVERSION OF DEOXYRIBONUCLEIC ACID DATA BANK. In fiscal year 1999–2000,
6 the secretary of administration shall allocate \$450,000 from the appropriations
7 under section 20.505 (6) (kt) of the statutes, as affected by this act, and section 20.505
8 (6) (pc) of the statutes to provide the department of justice with funding for
9 converting the deoxyribonucleic acid data bank under section 165.77 (3) of the
10 statutes to make it compatible with the short tandem repeat method of
11 deoxyribonucleic acid analysis.

12 (7f) REPORT ON GRANTS SPECIALIST POSITION. The office of justice assistance in the
13 department of administration shall prepare a report detailing the accomplishments
14 of the project position in the office of justice assistance that is responsible for
15 developing directories of federal and private funding resources, disseminating
16 information to state and local government agencies on funding opportunities,
17 assisting in the preparation of applications for funding or other proposals that may
18 secure federal or private funds, and training state and local government agencies
19 and nonprofit agencies in the process of seeking grants. The report shall include a
20 list of federal and private grants received by state and local government agencies
21 that are attributable to the position's efforts. The office of justice assistance shall,
22 no later than January 1, 2001, submit the report to the legislature in the manner
23 provided under section 13.172 (2) of the statutes.

24 (9) TRANSFER OF COLLEGE TUITION PREPAYMENT PROGRAM.

1 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and
2 liabilities of the department of administration primarily related to the
3 administration of the college tuition prepayment program, as determined by the
4 secretary of administration, shall become the assets and liabilities of the state
5 treasurer.

6 (b) *Employe transfers.* All incumbent employes holding positions in the
7 department of administration performing duties primarily related to the
8 administration of the college tuition prepayment program, as determined by the
9 secretary of administration, are transferred on the effective date of this paragraph
10 to the state treasurer.

11 (c) *Employe status.* Employes transferred under paragraph (b) have all the
12 rights and the same status under subchapter V of chapter 111 and chapter 230 of the
13 statutes in the state treasurer's office that they enjoyed in the department of
14 administration immediately before the transfer. Notwithstanding section 230.28 (4)
15 of the statutes, no employe so transferred who has attained permanent status in
16 class is required to serve a probationary period.

17 (d) *Tangible personal property.* On the effective date of this paragraph, all
18 tangible personal property, including records, of the department of administration
19 that is primarily related to the administration of the college tuition prepayment
20 program, as determined by the secretary of administration, is transferred to the
21 state treasurer.

22 (e) *Contracts.* All contracts entered into by the department of administration
23 that are in effect on the effective date of this paragraph and that are primarily related
24 to the administration of the college tuition prepayment program, as determined by
25 the secretary of administration, remain in effect and are transferred to the state

1 treasurer. The state treasurer shall carry out any such contractual obligations until
2 modified or rescinded by the state treasurer to the extent allowed under contract.

3 (f) *Rules and orders.* All rules promulgated by the department of
4 administration that are in effect on the effective date of this paragraph and that are
5 primarily related to the administration of the college tuition prepayment program,
6 as determined by the secretary of administration, remain in effect until their
7 specified expiration date or until amended or repealed by the state treasurer. All
8 orders issued by the department of administration that are in effect on the effective
9 date of this paragraph and that are primarily related to the administration of the
10 college tuition prepayment program, as determined by the secretary of
11 administration, remain in effect until their specified expiration date or until
12 modified or rescinded by the state treasurer.

13 (g) *Pending matters.* Any matters pending with the department of
14 administration on the effective date of this paragraph that are primarily related to
15 the administration of the college tuition prepayment program, as determined by the
16 secretary of administration, are transferred to the state treasurer and all materials
17 submitted to or actions taken by the department of administration with respect to
18 the pending matters are considered as having been submitted or taken by the state
19 treasurer.

20 (10g) OPERATIONS OF AND EQUIPMENT FOR AUTOMATED JUSTICE INFORMATION
21 SYSTEMS. The secretary of administration shall allocate \$729,800 in fiscal year
22 1999–2000 and \$2,024,100 in fiscal year 2000–01 from the appropriations under
23 section 20.505 (6) (kt) of the statutes, as affected by this act, and section 20.505 (6)
24 (pc) of the statutes to fund the general operations of the department of

1 administration relating to automated justice information systems and equipment for
2 automated justice information systems.

3 (11d) PILOT LITERACY PROGRAMS. In fiscal year 2000–01, the secretary of
4 administration shall allocate \$150,000 from the appropriation under section 20.505
5 (6) (pb) of the statutes to award grants on a competitive basis to 6 counties for pilot
6 literacy programs in jails or houses of corrections. To be eligible for a grant under
7 this subsection, a county must pay at least 25% of the total cost of its pilot literacy
8 program.

9 (12) DEPARTMENT OF CORRECTIONS ALCOHOL AND OTHER DRUG ABUSE PROGRAMS.
10 The secretary of administration shall allocate \$1,000,000 in fiscal year 1999–2000
11 and \$1,000,000 in fiscal year 2000–01 from the appropriations under section 20.505
12 (6) (kt) of the statutes, as affected by this act, and section 20.505 (6) (pc) of the
13 statutes to fund alcohol and other drug abuse programs in the department of
14 corrections.

15 (13) DEPARTMENT OF CORRECTIONS INFORMATION TECHNOLOGY. The secretary of
16 administration shall allocate \$533,300 in fiscal year 1999–2000 and \$1,200,000 in
17 fiscal year 2000–01 from the appropriations under section 20.505 (6) (kt) of the
18 statutes, as affected by this act, and section 20.505 (6) (pc) of the statutes to provide
19 the department of corrections with funding for information technology.

20 (14) REIMBURSEMENT TO COUNTIES FOR CRIME VICTIM AND WITNESS SERVICES. The
21 secretary of administration shall allocate \$850,800 in fiscal year 1999–2000 and
22 \$850,800 in fiscal year 2000–01 from the appropriations under section 20.505 (6) (kp)
23 of the statutes, as affected by this act, and section 20.505 (6) (pb) of the statutes to
24 provide reimbursement to counties for providing services to victims and witnesses
25 of crime.

1 (14yt) REPORT CONCERNING FEDERAL FUNDING FOR LEAKING UNDERGROUND STORAGE
2 TANKS. The secretary of administration shall report to the joint committee on finance
3 on how federal funds related to leaking underground storage tanks should be
4 allocated between the department of commerce and the department of natural
5 resources. The secretary shall submit the report for review and approval,
6 modification or disapproval by the committee at its 4th quarterly meeting under
7 section 13.10 of the statutes in 1999.

8 (17x) TRIBAL GAMING COMPUTER SYSTEM. The department of administration may
9 not encumber or expend moneys appropriated to it under section 20.505 (8) (hm) of
10 the statutes, as created in this act, for the purposes of a tribal gaming computer
11 system to receive and process slot machine accounting data unless the department
12 submits to the joint committee on finance a report on the costs associated with the
13 computer system. If the cochairpersons of the committee do not notify the secretary
14 within 14 working days after the date of the department's submittal of the report that
15 the committee has scheduled a meeting for the purpose of reviewing the report, the
16 secretary of administration shall direct that the moneys may be encumbered or
17 expended. If, within 14 working days after the date of the department's submittal,
18 the cochairpersons of the committee notify the department that the committee has
19 scheduled a meeting for the purpose of reviewing the report, the moneys may be
20 encumbered or expended only upon approval of the report by the committee.

21 (18) DETERMINATION OF COSTS FOR PAY RATE OR RANGE ADJUSTMENTS FOR CERTAIN
22 EMPLOYEES OF THE DEPARTMENTS OF CORRECTIONS AND HEALTH AND FAMILY SERVICES.
23 During the 1999–2001 fiscal biennium, the secretary of administration shall
24 determine which costs of the departments of corrections and health and family

1 services may be supplemented from the appropriation accounts under section 20.865
2 (1) (cb) and (ib) of the statutes, as created by this act.

3 (18ag) INFORMATION TECHNOLOGY SUPPORT. The department of administration
4 shall cooperate with the ethics board with respect to information technology support
5 and shall provide information technology support to the ethics board to effect
6 implementation of the requirements imposed under sections 13.67 and 13.68 (1) (bn)
7 of the statutes, as affected by this act.

8 (18d) FEDERAL RESOURCE ACQUISITION FINANCIAL PLAN. The department of
9 administration shall transmit to the joint committee on finance a long-term
10 financial plan for the operation by the department of the federal resource acquisition
11 program under section 16.98 of the statutes.

12 (18i) STUDY OF NEW PRODUCTION BAKERY. The department of administration shall
13 conduct a study of the desirability of constructing a new production bakery for the
14 department of corrections to produce breads and other baked products for
15 institutions in southeastern Wisconsin. The study shall address the specific size of
16 the proposed facility; the potential customers of the proposed facility, including
17 governmental entities other than the state; and the operational details of the
18 proposed facility, including the method of funding and staffing of the proposed
19 facility, the projected revenues and expenditures of the proposed facility and any
20 offsetting reductions in costs of the departments of corrections, health and family
21 services, public instruction and veterans affairs that may be realized as a result of
22 construction and operation of the proposed facility.

23 (18m) ADMINISTRATION OF MEDICAL ASSISTANCE. By the date specified by the
24 cochairpersons of the joint committee on finance for submission of requests for
25 consideration at the last quarterly meeting of the committee in calendar year 1999,

1 the secretary of administration shall submit a report to the joint committee on
2 finance that specifies the position and funding modifications needed to transfer all
3 administrative functions related to medical assistance, including administration of
4 the client assistance for reemployment and economic support system, either in
5 whole, or, if possible, only with respect to medical assistance, from the department
6 of workforce development to the department of health and family services. The
7 secretary shall also identify in the report any administrative issues that the
8 committee should consider with respect to the transfer.

9 (18v) DEPARTMENT OF REVENUE BUILDING CONSTRUCTION REQUIREMENTS. The
10 department of administration shall, to the extent practicable, ensure that the
11 department of revenue building enumerated under SECTION 9107 (1) (a) of this act
12 is constructed in a manner that is consistent with the requirements imposed under
13 section 20.924 (1) (j) 2. and 3. of the statutes, as created by this act.

14 (18w) REPORT ON USE OF MULTISTATE ELECTRONIC PROCUREMENT SYSTEMS. Prior
15 to December 31, 1999, the department of administration shall submit a report to the
16 joint committee on finance concerning the operation of multistate electronic
17 procurement systems. The report shall include information concerning the current
18 status of multistate electronic procurement systems available for potential use by
19 this state, the estimated costs and benefits of use of such a system by this state and
20 the changes in current law and funding that would be required for participation by
21 this state in such a system.

22 (18zo) SMART GROWTH DIVIDEND AID PROGRAM.

23 (a) Notwithstanding section 16.42 (1) of the statutes, the secretary of
24 administration shall propose under section 16.42 of the statutes, jointly with the
25 secretary of revenue, a smart growth dividend aid program in his or her budget

1 request for fiscal biennium 2001–03, with the first grants to be distributed in fiscal
2 year 2005–06. The proposal shall prescribe a method of distributing aid to cities,
3 villages, towns and counties that meet all of the following requirements:

4 1. To be eligible to receive aid, a city, village, town or county must have in effect
5 a comprehensive plan, as defined in section 66.0295 (1) (a) of the statutes, as created
6 by this act, that the department of administration and the land council determine
7 meets the provisions specified in section 16.965 (4) of the statutes, as created by this
8 act, and the city, village, town or county must have taken steps to implement the
9 plan.

10 2. To be eligible to receive aid a city, village, town or county must have in effect
11 zoning ordinances and subdivision regulations, as described in section 66.0295 (3)
12 (h), (j), (k) and (L) of the statutes, as created by this act, that are consistent with the
13 comprehensive plan.

14 (b) The proposal shall include a provision requiring the land council to approve
15 or disapprove grant applications within 60 days of submission.

16 (c) The proposal shall specify that a city, village, town or county shall receive
17 one aid credit for each new housing unit that was sold or rented, on lots that are no
18 more than one-quarter acre, in the year before the year in which the grant
19 application is made. The proposal shall also specify that a city, village, town or
20 county shall receive one credit for each new housing unit that was sold at no more
21 than 80% of the median sale price for new homes in the county in which the city,
22 village or town is located or primarily located in the year before the year in which the
23 grant application is made. Grants shall be awarded based on the number of credits
24 that a city, village, town or county receives in the year to which its application relates.

1 (19f) CALCULATION OF FEDERAL INTEREST REIMBURSEMENTS. No later than the first
2 day of the 2nd month beginning after the effective date of this subsection, the
3 secretary of administration shall calculate the amount of moneys received by the
4 state as interest reimbursements from the federal government less the amounts paid
5 by the state to the federal government as interest reimbursements before the
6 effective date of this subsection.

7 (19g) POSITION AUTHORIZATION. The authorized FTE positions for the
8 department of administration are increased by 1.0 GPR position, to be funded from
9 the appropriation under section 20.505 (1) (cn) of the statutes, as created by this act.

10 (19t) REPORT ON FOOD SERVICE CENTER PROJECT. The department of
11 administration shall, by March 31, 2000, submit a report concerning the status of
12 the centralized advanced food production system construction project at the
13 Southern Wisconsin Center for the Developmentally Disabled, as authorized under
14 SECTION 9107 (1) (j) of this act, to the joint committee on finance and the building
15 commission. In its report, the department shall address the status of the renovation
16 project and proposed plans for the eventual transfer of assets and operational
17 responsibilities for the food service activity at that food service center from the
18 department of health and family services to the department of veterans affairs.

19 (19wx) GRANTS FOR CENSUS EDUCATION PROGRAMS.

20 (a) In this subsection:

21 1. “Association” means the Wisconsin Towns Association, the Wisconsin
22 Alliance of Cities or the League of Wisconsin Municipalities.

23 2. “Department” means the department of administration.

24 3. “Municipality” means a city, village or town.

1 (b) The department shall review and approve grants from the state to qualified
2 applicants under this paragraph for programs designed to ensure a complete,
3 accurate 2000 federal decennial census. Grants are subject to the following
4 procedures and conditions:

5 1. Application may be made by any association, by any county, municipality or
6 group of municipalities in this state which has a population of 20,000 or more,
7 according to the 1990 federal decennial census, or by any county, municipality or
8 group of municipalities in this state which can demonstrate that a substantial
9 portion of the population of the county, municipality or group is hard to enumerate.

10 In this subdivision, “hard to enumerate” populations include:

- 11 a. Racial and ethnic minorities.
- 12 b. Individuals for whom English is not their primary language.
- 13 c. Homeless individuals.
- 14 d. Migrant workers.
- 15 e. Residents of public housing projects or other concentrations of rental units.
- 16 f. Individuals who may be outside the mainstream of daily life, such as
17 homebound, elderly or disabled individuals.
- 18 g. Student populations.

19 2. Applications shall be received by the department no later than the 30th day
20 after the effective date of this subsection in order to qualify for a grant.

21 3. The department shall announce awards of grants on or before the 15th day
22 after the application deadline specified in subdivision 2. The department shall make
23 payment of 60% of each grant at the time of award.

24 4. No costs incurred after June 1, 2000, are eligible to be paid from a grant.

1 5. a. The department shall make grants on a matching basis, but no grant may
2 exceed \$200,000, except as authorized under subdivision 5. b. If the total amount of
3 the grants payable exceeds the moneys available in the appropriation under section
4 20.505 (1) (e) of the statutes, as created by this act, the department shall adjust
5 amounts of the grants on a prorated basis.

6 b. If, after the department awards all grant moneys for which the department
7 has qualifying applications, there remain unencumbered moneys in the
8 appropriation under section 20.505 (1) (e) of the statutes, as created by this act, the
9 department may award additional grant moneys to any original qualified applicants
10 who apply to receive additional grant moneys. In distributing additional grant
11 moneys, the department shall apportion the moneys on a prorated basis in
12 accordance with the amounts awarded to each applicant originally, up to the amount
13 of additional moneys matched by the applicant as provided in subdivision 5. a., but
14 not to exceed a total grant of \$250,000 to a single applicant. If, after additional grants
15 are awarded under this subdivision, there remain unencumbered moneys in the
16 appropriation under section 20.505 (1) (e) of the statutes, as created by this act, the
17 department may award additional grants on the same basis as provided under this
18 subdivision until all unencumbered moneys in the appropriation under section
19 20.505 (1) (e) of the statutes are exhausted. For purposes of apportionment of any
20 such additional grant moneys, the department shall exclude any amount paid to a
21 recipient that received the maximum grant permitted under this subdivision.

22 6. Only direct costs are eligible to be paid from a grant. Such costs include
23 personnel costs of staff specifically assigned to a census complete count promotion
24 and the costs of office space, data processing, travel within the area covered by the
25 grant, communications, media advertising, printing, postage and supplies directly

1 attributable to a complete count promotion. Costs not eligible to be paid from a grant
2 are equipment and property costs, application preparation costs, indirect costs, and
3 any costs considered by the department to be inconsistent with the purposes of this
4 subsection.

5 7. Each grant application under subdivision 1. or 5. b. shall include all of the
6 following:

7 a. A description of the geographic area covered by the grant application,
8 including, except in the case of an association, the name of each county, municipality
9 or municipality included within a group that is applying for a grant and the
10 approximate total population of each such county and municipality.

11 b. The categories of populations targeted for the census promotional program,
12 including the approximate number in each category. If populations other than those
13 listed in subdivision 1. are identified, the application shall include an explanation
14 of why the members of the population are hard to enumerate.

15 c. Activities planned to reach each of these populations, including tentative
16 schedules, source of staff and number of anticipated staff, and materials and other
17 information which would provide a clear understanding of the promotional program.

18 d. Identification of costs related to subdivision 7. c.

19 e. The amount of the grant requested and the sources and amounts of matching
20 funds.

21 f. A plan for the final accounting and evaluation of the promotional program.

22 g. The signature of the highest ranking official of each county, municipality or
23 association making application for the grant or of each municipality included within
24 a group making application for the grant.

1 h. If the application is made by an applicant other than a single county or
2 municipality, the name and title of the project coordinator who is responsible for the
3 overall effort.

4 8. The department may reject any application which does not appropriately
5 meet all requirements of this subsection.

6 9. Each grant recipient under this subsection shall provide for a final
7 accounting and submit a report of the accounting together with its request for final
8 payment to the department by July 15, 2000. The report shall be certified by the
9 chief financial officer of the recipient, by a certified public accountant and the highest
10 ranking official of the recipient, or, in the case of a group of municipalities, by such
11 officer or accountant and official of each of the municipalities. The department shall
12 make payment of the final 40% of the grant when the final accounting has been
13 completed to its satisfaction.

14 (19wy) STATEWIDE COMPLETE CENSUS COUNT PROGRAM. The department of
15 administration shall, from the appropriation under section 20.505 (1) (a) of the
16 statutes in fiscal year 1999–2000, conduct a statewide program to educate the public
17 concerning federal census procedures and the importance of assuring a complete and
18 accurate 2000 federal decennial census in this state. The department shall not
19 encumber or expend any moneys for this purpose without the approval of the census
20 education board.

21 (20c) SELLING AND TRANSFERRING RIGHTS TO TOBACCO LITIGATION FUNDS. The
22 department of administration shall study the idea of selling and transferring
23 Wisconsin's rights to the moneys due Wisconsin under the Attorneys General Master
24 Tobacco Settlement Agreement of November 23, 1998, for the purpose of creating a
25 permanent endowment fund. No later than January 1, 2000, the department shall

1 submit the study to the legislature in the manner provided under section 13.172 (2)
2 of the statutes.

3 (20g) BINGO GENERAL PROGRAM OPERATIONS POSITION AUTHORIZATION. The
4 authorized FTE positions for the department of administration are increased by 4.0
5 PR positions, to be funded from the appropriation under section 20.505 (8) (jm) of the
6 statutes for the purpose of conducting general program operations for bingo.

7 (20m) STUDY OF STATE-OWNED WATER PURIFICATION AND WASTEWATER TREATMENT
8 PLANTS. The department of administration shall study the feasibility and desirability
9 of selling, leasing or forming public-private partnerships to operate the water
10 purification and wastewater treatment plants owned by the state. The department
11 shall submit a report to the legislature concerning the options available to the state
12 with respect to such sale, leasing or operational agreements in the manner provided
13 under section 13.172 (2) of the statutes no later than December 31, 2000.

14 (21g) WISCONSIN SESQUICENTENNIAL COMMISSION; GENERAL PROGRAM OPERATIONS
15 OVERPAYMENT READJUSTMENT. Not later than 30 days after the effective date of this
16 subsection, the secretary of administration shall recompute the amount of the
17 transfer from the historical legacy trust fund to the transportation fund required by
18 1997 Wisconsin Act 237, section 9101 (1x), by adding to the sum determined by the
19 secretary of administration under 1997 Wisconsin Act 237, section 9101 (1x) (intro.),
20 the moneys deposited to the historical legacy trust fund under section 341.14 (6r) (bg)
21 3. b., 1997 stats. If the amount of the transfer required by the recomputation under
22 this subsection is greater than the amount transferred under 1997 Wisconsin Act
23 237, section 9101 (1x), the secretary of administration shall transfer from the
24 historical legacy trust fund to the transportation fund not later than 30 days after
25 the effective date of this subsection an amount equal to the difference between the

1 amount transferred under 1997 Wisconsin Act 237, section 9101 (1x), and the
2 amount of the transfer calculated under the recomputation required by this
3 subsection.

4 **SECTION 9104. Nonstatutory provisions; agriculture, trade and**
5 **consumer protection.**

6 (1m) MEMORANDUM OF UNDERSTANDING REGARDING CERTAIN CONSUMER
7 COMPLAINTS. Not later than the first day of the 13th month after the effective date
8 of this subsection, the department of agriculture, trade and consumer protection
9 shall enter into a memorandum of understanding with the department of justice and
10 the public service commission for the purpose of coordinating each party's efforts to
11 respond to and address consumer complaints regarding telecommunication services.

12 (2m) FISH MICROBIOLOGIST. The authorized FTE positions for the department
13 of agriculture, trade and consumer protection are increased by 1.0 PR position, to be
14 funded from the appropriation under section 20.115 (2) (g) of the statutes, to perform
15 fish microbiology.

16 (3y) NURSERY REGULATION POSITION. The authorized FTE positions for the
17 department of agriculture, trade and consumer protection, funded from the
18 appropriation under section 20.115 (7) (ja) of the statutes, are decreased by 1.0 PR
19 position for the purpose of nursery regulation.

20 **SECTION 9105. Nonstatutory provisions; arts board.**

21 (1c) GRANT TO PERFORMING ARTS FOUNDATION. From the appropriation under
22 section 20.215 (1) (b) of the statutes, the arts board shall award a grant of \$150,000
23 in the 1999–2000 fiscal year to a nonprofit performing arts foundation located in a
24 county with a population of less than 130,000 for use in improving handicapped

1 accessibility in the foundation's facility if the foundation provides at least \$150,000
2 in matching funds.

3 (2w) PORTAGE COUNTY ARTS ALLIANCE. From the appropriation under section
4 20.215 (1) (fm) of the statutes, as created by this act, the arts board shall award a
5 grant of \$50,000 in the 1999–2000 fiscal year to the city of Stevens Point arts council
6 for development of the Portage County Arts Alliance if the arts council provides at
7 least \$50,000 in matching funds.

8 **SECTION 9107. Nonstatutory provisions; building commission.**

9 (1) 1999–2001 AUTHORIZED STATE BUILDING PROGRAM. For the fiscal years
10 beginning on July 1, 1999, and ending on June 30, 2001, the authorized state
11 building program is as follows:

12 (a) DEPARTMENT OF ADMINISTRATION

13 1. *Projects financed by program revenue supported*

14 *borrowing:*

15	Department of revenue building purchase — Madison	\$ 30,100,000
16	State office building addition — Waukesha	7,100,000

17 (Total project all funding sources \$11,900,000)

18 2. *Projects financed by existing program revenue supported*

19 *borrowing:*

20	State office building addition — Waukesha	4,800,000
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21 (Total project all funding sources \$11,900,000)

22 3. *Agency totals:*

23	Program revenue supported borrowing	37,200,000
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1	Existing program revenue supported borrowing	<u>4,800,000</u>
2	Total — All sources of funds	\$ 42,000,000
3	(b) DEPARTMENT OF CORRECTIONS	
4	1. <i>Projects financed by general fund supported borrowing:</i>	
5	Work houses — 2 sites	\$ 5,120,000
6	Milwaukee prerelease center purchase	5,030,000
7	Milwaukee probation and parole holding and alcohol	
8	and other drug abuse treatment facility expansion	19,950,000
9	Taycheedah Correctional Institution	
10	segregation/housing unit	8,080,000
11	(Total project all funding sources \$10,780,000)	
12	Correctional facilities expansion	58,000,000
13	(Total project all funding sources \$63,000,000)	
14	Highview building conversion — Chippewa Falls	7,294,000
15	Southern Oaks Girls School multipurpose building	1,429,400
16	Oshkosh Correctional Institution segregation unit	
17	addition	4,189,500
18	Oakhill Correctional Institution — Cottages 1 to 10	
19	and 12 mechanical systems renovation	2,223,200
20	Oakhill Correctional Institution — Cottages 1 and 12	
21	remodeling	1,330,200

1	Waupun Correctional Institution — former health	
2	services unit remodeling	7,604,900
3	<i>2. Projects financed by federal funds:</i>	
4	Taycheedah Correctional Institution	
5	segregation/housing unit	2,700,000
6	(Total project all funding sources \$10,780,000)	
7	Correctional facilities expansion	5,000,000
8	(Total project all funding sources \$63,000,000)	
9	<i>3. Agency totals:</i>	
10	General fund supported borrowing	120,251,200
11	Federal funds	<u>7,700,000</u>
12	Total — All sources of funds	\$127,951,200
13	(c) EDUCATIONAL COMMUNICATIONS BOARD	
14	<i>1. Projects financed by general fund supported borrowing:</i>	
15	Digital television tower — Wausau	\$ 304,000
16	(Total project all funding sources \$465,000)	
17	<i>2. Projects financed by existing general fund supported</i>	
18	<i>borrowing:</i>	
19	Digital television tower — Wausau	161,000
20	(Total project all funding sources \$465,000)	
21	<i>5. Agency totals:</i>	
22	General fund supported borrowing	304,000

1	Existing general fund supported borrowing	<u>161,000</u>
2	Total — All sources of funds	\$ 465,000
3	(d) DEPARTMENT OF HEALTH AND FAMILY SERVICES	
4	1. <i>Projects financed by general fund supported borrowing:</i>	
5	Secure treatment center — Mauston	\$ 8,890,000
6	(Total project all funding sources \$38,890,000)	
7	Central Wisconsin Center for the Developmentally	
8	Disabled — building one remodeling	710,200
9	2. <i>Projects financed by existing general fund supported</i>	
10	<i>borrowing:</i>	
11	Secure treatment center — Mauston	30,000,000
12	(Total project all funding sources \$38,890,000)	
13	Mendota juvenile treatment center addition	1,560,000
14	3. <i>Agency totals:</i>	
15	General fund supported borrowing	9,600,200
16	Existing general fund supported borrowing	<u>31,560,000</u>
17	Total — All sources of funds	\$ 41,160,200
18	(e) DEPARTMENT OF MILITARY AFFAIRS	
19	1. <i>Projects financed by general fund supported borrowing:</i>	
20	Organizational maintenance shop remodeling —	
21	Milwaukee	\$ 125,000
22	(Total project all funding sources \$500,000)	

1	Organizational maintenance shop — Oshkosh	207,900
2	(Total project all funding sources \$2,913,900)	
3	General Mitchell International Airport — land	
4	purchase	532,500
5	<i>2. Projects financed by federal funds:</i>	
6	Organizational maintenance shop remodeling —	375,000
7	Milwaukee	
8	(Total project all funding sources \$500,000)	
9	Organizational maintenance shop — Oshkosh	2,706,000
10	(Total project all funding sources \$2,913,900)	
11	<i>3. Agency totals:</i>	
12	General fund supported borrowing	865,400
13	Federal funds	<u>3,081,000</u>
14	Total — All sources of funds	\$ 3,946,400
15	(f) DEPARTMENT OF NATURAL RESOURCES	
16	<i>1. Projects financed by general fund supported borrowing:</i>	
17	Northern region headquarters — Rhinelander	\$ 1,584,000
18	(Total project all funding sources \$3,600,000)	
19	South central region headquarters — Fitchburg	1,353,500
20	(Total project all funding sources \$3,140,000)	
21	<i>2. Projects financed by existing general fund supported</i>	
22	<i>borrowing authority — stewardship funds:</i>	

1	Milwaukee Lakeshore State Park development	2,000,000
2	(Total project all funding sources \$9,000,000)	
3	Nature and conference center — Lapham Peak	
4	unit — Kettle Moraine State Forest	690,000
5	Old Abe Trail — bridge replacement	140,700
6	(Total project all funding sources \$703,500)	
7	4. <i>Projects financed by segregated fund supported</i>	
8	<i>borrowing:</i>	
9	Northern region headquarters — Rhinelander	2,016,000
10	(Total project all funding sources \$3,600,000)	
11	Central system office furniture	2,060,000
12	South central region headquarters — Fitchburg	1,786,500
13	(Total project all funding sources \$3,140,000)	
14	5. <i>Projects financed by segregated funds:</i>	
15	Ranger stations — Augusta and Webster	1,315,300
16	5m. <i>Projects funded by moneys appropriated to the agency</i>	
17	<i>from any revenue source:</i>	
18	Milwaukee Lakeshore State Park development	5,000,000
19	(Total project all funding sources \$9,000,000)	
20	6. <i>Projects financed by federal funds:</i>	
21	Milwaukee Lakeshore State Park development	2,000,000
22	(Total project all funding sources \$9,000,000)	

1	Old Abe Trail — bridge replacement	562,800
2	(Total project all funding sources \$703,500)	
3	7. <i>Agency totals:</i>	
4	General fund supported borrowing	2,937,500
5	Existing general fund supported borrowing	
6	authority — stewardship	2,830,700
7	Segregated fund supported borrowing	5,862,500
8	Segregated funds	1,315,300
9	Moneys appropriated to the agency from any revenue	
10	source	5,000,000
11	Federal funds	<u>2,562,800</u>
12	Total — All sources of funds	\$ 21,902,300
13	(g) STATE FAIR PARK BOARD	
14	1. <i>Projects financed by general fund supported borrowing:</i>	
15	Infrastructure improvements	\$ 887,100
16	(Total project all funding sources \$1,774,200)	
17	Land acquisition/site development	1,000,000
18	(Total project all funding sources \$2,000,000)	
19	2. <i>Projects financed by program revenue supported</i>	
20	<i>borrowing:</i>	
21	Infrastructure improvements	887,100
22	(Total project all funding sources \$1,774,200)	

1	Racetrack seating	14,500,000
2	Racetrack improvements	550,000
3	Land acquisition/site development	1,000,000
4	(Total project all funding sources \$2,000,000)	
5	3. <i>Agency totals:</i>	
6	General fund supported borrowing	1,887,100
7	Program revenue supported borrowing	<u>16,937,100</u>
8	Total — All sources of funds	\$ 18,824,200
9	(h) DEPARTMENT OF TRANSPORTATION	
10	1. <i>Projects financed by segregated fund supported revenue</i>	
11	<i>borrowing:</i>	
12	District headquarters renovation — Superior	\$ 867,200
13	District headquarters renovation — Rhinelander	1,790,000
14	District headquarters renovation — Green Bay	678,000
15	Statewide tower upgrades	4,239,000
16	2. <i>Agency totals:</i>	
17	Segregated fund supported revenue borrowing	<u>7,574,200</u>
18	Total — All sources of funds	\$ 7,574,200
19	(i) UNIVERSITY OF WISCONSIN SYSTEM	
20	1. <i>Projects financed by general fund supported borrowing:</i>	
21	Eau Claire — Phillips Science Hall renovation	\$ 11,496,500
22	La Crosse — Wing Technology Center remodeling	9,887,000

1	Madison — Infrastructure distribution systems	7,000,000
2	Milwaukee — Lapham Hall south wing renovation	10,950,000
3	Platteville — Student center technology wing	3,735,000
4	River Falls — Dairy science teaching facility	2,931,000
5	(Total project all funding sources \$3,431,000)	
6	Stout — Jarvis Science Hall wing renovation	4,200,000
7	Whitewater — Williams Center fieldhouse	9,450,000
8	(Total project all funding sources \$13,500,000)	
9	System — Classroom renovation and instructional	9,000,000
10	technology improvements	
11	<i>2. Projects funded by existing general fund supported</i>	
12	<i>borrowing authority:</i>	
13	Green Bay — Academic building	15,000,000
14	(Total project all funding sources \$17,000,000)	
15	Oshkosh — Halsey Science Center renovation	13,885,000
16	Whitewater — Williams Center fieldhouse	2,025,000
17	(Total project all funding sources \$13,500,000)	
18	<i>3. Projects financed by program revenue supported</i>	
19	<i>borrowing:</i>	
20	Extension — Lowell Hall parking structure	986,800
21	Madison — Intercollegiate athletics pool	7,500,000
22	(Total project all funding sources \$11,500,000)	

1	— Operations facility	1,875,000
2	— Southeast recreational facility addition	6,106,000
3	— Veterinary medical teaching hospital	1,500,000
4	(Total project all funding sources \$3,200,000)	
5	Oshkosh — Reeve Union and Blackhawk Commons	18,600,000
6	River Falls — Residence hall	8,965,000
7	Stout — Recreation complex	3,000,000
8	(Total project all funding sources \$7,000,000)	
9	Whitewater — Williams Center fieldhouse	2,025,000
10	(Total project all funding sources \$13,500,000)	
11	— West campus development	4,180,000
12	System — Aquaculture demonstration facility —	
13	Ashland area	3,000,000
14	4. <i>Projects financed by program revenue:</i>	
15	Madison — University Ridge clubhouse	1,751,000
16	— Veterinary medical teaching hospital	1,700,000
17	(Total project all funding sources \$3,200,000)	
18	5. <i>Projects financed by gifts, grants and other receipts:</i>	
19	Green Bay — Academic building	2,000,000
20	(Total project all funding sources \$17,000,000)	
21	Madison — McKay Center addition	3,000,000
22	— Intercollegiate athletics pool	4,000,000

1	(Total project all funding sources \$11,500,000)	
2	— Murray Mall development	7,111,000
3	Milwaukee — School of arts facility	7,500,000
4	River Falls — Dairy science teaching facility	500,000
5	(Total project all funding sources \$3,431,000)	
6	Stout — Recreation complex	4,000,000
7	(Total project all funding sources \$7,000,000)	
8	System — Aquatic science and technology education	
9	center	1,800,000
10	— Center for aquatic culture technology	1,200,000
11	6. <i>Agency totals:</i>	
12	General fund supported borrowing	68,649,500
13	Existing general fund supported borrowing authority	30,910,000
14	Program revenue supported borrowing	57,737,800
15	Program revenue	3,451,000
16	Gifts, grants and other receipts	<u>31,111,000</u>
17	Total — All sources of funds	\$ 191,859,300
18	(j) DEPARTMENT OF VETERANS AFFAIRS	
19	1. <i>Projects financed by program revenue supported</i>	
20	<i>borrowing:</i>	
21	Southern Wisconsin veterans retirement center	\$ 7,686,100
22	(Total project all funding sources \$23,110,300)	

1	Food service center renovation — Southern Wisconsin	6,223,000
2	Center for the Developmentally Disabled	
3	<i>2. Projects financed by existing program revenue supported</i>	
4	<i>borrowing:</i>	
5	Southern Wisconsin veterans retirement center	402,500
6	(Total project all funding sources \$23,110,300)	
7	<i>3. Projects financed by federal funds:</i>	
8	Southern Wisconsin veterans retirement center	15,021,700
9	(Total project all funding sources \$23,110,300)	
10	Southern Wisconsin Veterans Memorial Cemetery	1,540,000
11	Wisconsin Veterans Memorial Cemetery expansion —	
12	King	2,312,000
13	<i>4. Agency totals:</i>	
14	Program revenue supported borrowing	13,909,100
15	Existing program revenue supported borrowing	402,500
16	Federal funds	<u>18,873,700</u>
17	Total — All sources of funds	\$ 33,185,300
18	(k) MARQUETTE UNIVERSITY	
19	<i>1. Projects financed by general fund supported borrowing:</i>	
20	School of dentistry	\$ 15,000,000
21	(Total project all funding sources \$30,000,000)	
22	<i>2. Projects financed by gifts, grants and other receipts:</i>	

1	School of dentistry	15,000,000
2	(Total project all funding sources \$30,000,000)	
3	3. <i>Agency totals:</i>	
4	General fund supported borrowing	15,000,000
5	Gifts, grants and other receipts	<u>15,000,000</u>
6	Total — All sources of funds	\$ 30,000,000
7	(km) MILWAUKEE POLICE ATHLETIC LEAGUE	
8	1. <i>Projects financed by general fund supported borrowing:</i>	
9	Youth activities center	\$1,000,000
10	(Total project all funding sources \$5,074,000)	
11	2. <i>Projects financed by gifts, grants and other receipts:</i>	
12	Youth activities center	4,074,000
13	(Total project all funding sources \$5,074,000)	
14	3. <i>Agency totals:</i>	
15	General fund supported borrowing	1,000,000
16	Gifts, grants and other receipts	<u>4,074,000</u>
17	Total — All sources of funds	\$ 5,074,000
18	(Lm) SWISS CULTURAL CENTER	
19	1. <i>Projects financed by general fund supported borrowing:</i>	
20	Swiss cultural center -- New Glarus	1,000,000
21	(Total project all funding sources \$6,000,000)	
22	2. <i>Projects financed by program revenue:</i>	

1	Swiss cultural center -- New Glarus	1,000,000
2	(Total project all funding sources \$6,000,000)	
3	<i>3. Projects financed by gifts, grants and other receipts:</i>	
4	Swiss cultural center -- New Glarus	4,000,000
5	(Total project all funding sources \$6,000,000)	
6	<i>4. Agency totals:</i>	
7	General fund supported borrowing	1,000,000
8	Program revenue	1,000,000
9	Gifts, grants and other receipts	<u>6,000,000</u>
10	Total -- All sources of funds	6,000,000
11	(m) ALL AGENCY PROJECT FUNDING	
12	<i>1. Projects financed by general fund supported borrowing:</i>	
13	WisBuild initiative	\$ 64,923,000
14	(Total program all funding sources \$108,178,600)	
15	Utilities repair and renovation	41,713,500
16	(Total program all funding sources \$59,124,900)	
17	Health, safety and environmental protection	25,667,000
18	(Total program all funding sources \$27,747,000)	
19	Preventive maintenance program	5,000,000
20	Capital equipment acquisition	7,100,000
21	(Total program all funding sources \$12,500,000)	

1	2. <i>Projects funded by existing general fund supported</i>	
2	<i>borrowing authority:</i>	
3	Utilities repair and renovation	3,000,000
4	(Total project all funding sources \$59,124,900)	
5	3. <i>Projects financed by existing general fund supported</i>	
6	<i>borrowing authority — stewardship funds:</i>	
7	WisBuild initiative	4,515,400
8	(Total program all funding sources \$108,178,600)	
9	Utilities repair and renovation	3,843,400
10	(Total program all funding sources \$59,124,900)	
11	Health, safety and environmental protection	250,000
12	(Total program all funding sources \$27,747,000)	
13	4. <i>Projects financed by program revenue supported</i>	
14	<i>borrowing:</i>	
15	WisBuild initiative	33,780,000
16	(Total program all funding sources \$108,178,600)	
17	Utilities repair and renovation	4,699,000
18	(Total program all funding sources \$59,124,900)	
19	Health, safety and environmental protection	695,000
20	(Total program all funding sources \$27,747,000)	
21	Capital equipment acquisition	5,400,000
	(Total program all funding sources \$12,500,000)	

1	Land and property acquisition	4,600,000
2	5. <i>Projects financed by program revenue:</i>	
3	Utilities repair and renovation	3,000,000
4	(Total program all funding sources \$59,124,900)	
5	6. <i>Projects financed by segregated fund supported</i>	
6	<i>borrowing:</i>	
7	WisBuild initiative	1,673,400
8	(Total program all funding sources \$108,178,600)	
9	7. <i>Projects financed by segregated fund supported revenue</i>	
10	<i>borrowing:</i>	
11	WisBuild initiative	1,726,600
12	(Total program all funding sources \$108,178,600)	
13	Utilities repair and renovation	847,300
14	(Total program all funding sources \$59,124,900)	
15	8. <i>Projects financed by moneys appropriated to state</i>	
16	<i>agencies from any revenue source:</i>	
17	WisBuild initiative	1,254,400
18	(Total program all funding sources \$108,178,600)	
19	Utilities repair and renovation	1,205,400
20	(Total program all funding sources \$59,124,900)	
21	9. <i>Projects financed by federal funds:</i>	
22	WisBuild initiative	305,800

1	(Total program all funding sources \$108,178,600)	
2	Utilities repair and renovation	816,300
3	(Total program all funding sources \$59,124,900)	
4	Health, safety and environmental protection	1,135,000
5	(Total program all funding sources \$27,747,000)	
6	10. <i>All agency totals:</i>	
7	General fund supported borrowing	144,403,500
8	Existing general fund supported borrowing authority	3,000,000
9	Existing general fund supported borrowing —	
10	stewardship funds	8,608,800
11	Program revenue supported borrowing	49,174,000
12	Program revenue	3,000,000
13	Segregated fund supported borrowing	1,673,400
14	Segregated fund supported revenue borrowing	2,573,900
15	Moneys appropriated to state agencies from any	
16	revenue source	2,459,800
17	Federal funds	<u>2,257,100</u>
18	Total — All sources of funds	\$217,150,500
19	(n) SUMMARY	
20	Total general fund supported borrowing	\$365,898,400
21	Total existing general fund supported borrowing	
22	authority	65,631,000

1	Total existing general fund supported borrowing	
2	authority — stewardship funds	12,270,200
3	Total program revenue supported borrowing	174,958,000
4	Total existing program revenue supported borrowing	5,202,500
5	Total segregated fund supported borrowing	7,535,900
6	Total segregated fund supported revenue borrowing	10,148,100
7	Total segregated funds	1,315,300
8	Total program revenue	7,451,000
9	Total gifts, grants and other receipts	54,185,100
10	Total moneys appropriated to state agencies from any	
11	revenue source	7,459,800
12	Total federal funds	<u>34,474,600</u>
13	Total — All sources of funds	\$746,529,900

14 (2) PROGRAMS PREVIOUSLY AUTHORIZED. In addition to the projects and financing
15 authority enumerated under subsection (1), the building and financing authority
16 enumerated under the previous authorized state building programs is continued in
17 the 1999–2001 fiscal biennium.

18 (3) LOANS. During the 1999–2001 fiscal biennium, the building commission
19 may make loans from general fund supported borrowing or the building trust fund
20 to state agencies, as defined in section 20.001 (1) of the statutes, for projects which
21 are to be utilized for programs not funded by general purpose revenue and which are
22 authorized under subsection (1).

1 (4) PROJECT CONTINGENCY FUNDING RESERVE. During the 1999–2001 fiscal
2 biennium, the building commission may allocate moneys from the appropriation
3 under section 20.866 (2) (yg) of the statutes, as affected by this act, for contingency
4 expenses in connection with any project in the authorized state building program.

5 (5) CAPITAL EQUIPMENT FUNDING ALLOCATION.

6 (a) During the 1999–2001 fiscal biennium, the building commission may
7 allocate moneys from the appropriation under section 20.866 (2) (ym) of the statutes,
8 as affected by this act, for capital equipment acquisition in connection with any
9 project in the authorized state building program.

10 (b) During the 1999–2001 fiscal biennium, the building commission may
11 allocate moneys from the appropriation under section 20.866 (2) (ym) of the statutes,
12 as affected by this act, to acquire other priority capital equipment for state agencies,
13 as defined in section 20.001 (1) of the statutes.

14 (6) MARQUETTE UNIVERSITY SCHOOL OF DENTISTRY. Notwithstanding section
15 13.48 (32) of the statutes, as created by this act, the building commission shall not
16 make a grant to Marquette University for the dental school project enumerated in
17 subsection (1) (k) under section 13.48 (32) of the statutes, as created by this act,
18 unless the department of administration has reviewed and approved the plans for
19 the project. Notwithstanding sections 16.85 (1) and 16.855 (1) of the statutes, the
20 department of administration shall not supervise any services or work or let any
21 contract for the project. Section 16.87 of the statutes does not apply to the project.

22 (6g) SWISS CULTURAL CENTER. Notwithstanding section 13.48 (33) of the
23 statutes, as created by this act, the building commission shall not make a grant to
24 the organization known as the Swiss Cultural Center for the Swiss cultural center
25 project enumerated in subsection (1) (Lm) under section 13.48 (33) of the statutes,

1 as created by this act, unless the department of administration has reviewed and
2 approved the plans for the project. Notwithstanding sections 16.85 (1) and 16.855
3 (1) of the statutes, the department of administration shall not supervise any services
4 or work or let any contract for the project. Section 16.87 of the statutes does not apply
5 to the project.

6 (6m) MILWAUKEE POLICE ATHLETIC LEAGUE YOUTH ACTIVITIES CENTER.
7 Notwithstanding section 13.48 (34) of the statutes, as created by this act, the
8 building commission shall not make a grant to the Milwaukee Police Athletic League
9 for the youth activities center project enumerated in subsection (1) (km) under
10 section 13.48 (34) of the statutes, as created by this act, unless the department of
11 administration has reviewed and approved the plans for the project.
12 Notwithstanding sections 16.85 (1) and 16.855 (1) of the statutes, the department of
13 administration shall not supervise any services or work or let any contract for the
14 project. Section 16.87 of the statutes does not apply to the project.

15 (7) HIGHVIEW BUILDING VACATION AND CONVERSION. The building commission
16 shall, during the 1999–2001 fiscal biennium, coordinate the construction project
17 related to vacation of the Highview building by the Northern Wisconsin Center for
18 the Developmentally Disabled and conversion of the building to a medium security
19 correctional institution under subsection (1) (b) 1. and related projects. Jurisdiction
20 over the building and adjacent land is vested in the commission for the purpose of
21 effecting the transfer. At such time as is appropriate, the commission shall transfer
22 the building and adjacent land to the department of corrections under section 13.48
23 (14) of the statutes.

24 (7tu) STATE FAIR PARK RACETRACK SEATING PROJECT. Notwithstanding section
25 18.04 (2) of the statutes, as affected by this act, the building commission shall not

1 authorize public debt to be contracted for the racetrack seating project identified in
2 subsection (1) (g) 2. unless the state fair park board first notifies the commission, in
3 writing, that it has approved the design of the project.

4 (7tv) STATE FAIR PARK RACETRACK IMPROVEMENTS. Notwithstanding section 18.04
5 (2) of the statutes, as affected by this act, the building commission shall not authorize
6 public debt to be contracted for the racetrack improvements project identified in
7 subsection (1) (g) 2. unless the commission is notified by the cochairpersons of the
8 joint committee on finance that the committee has approved the plan for noise
9 abatement at the racetrack submitted under SECTION 9145 (1tv) of this act.

10 (7x) AQUACULTURE DEMONSTRATION FACILITY. Notwithstanding section 18.04 (1)
11 of the statutes and section 18.04 (2) of the statutes, as affected by this act, the
12 building commission shall not authorize public debt to be contracted for the purpose
13 of financing construction of the aquaculture demonstration facility enumerated
14 under subsection (1) (i) 3. unless the joint committee on finance has first approved
15 the report required to be submitted to the committee by the board of regents of the
16 University of Wisconsin System under SECTION 9154 (3x) of this act.

17 (8m) WAUSAU STATE OFFICE FACILITY STUDY. The building commission shall
18 conduct a study of the feasibility of constructing a state office facility in the Wausau
19 area to consolidate state employe staff. The building commission shall report the
20 results of the study, together with its findings and recommendations, to the
21 legislature in the manner provided in section 13.172 (2) of the statutes no later than
22 July 1, 2000.

23 **SECTION 9109. Nonstatutory provisions; circuit courts.**

1 (1g) CIRCUIT COURT BRANCH, 2000. The initial election for circuit judge for branch
2 3 of the circuit court for Waupaca County shall be at the spring election of 2000 for
3 a term commencing August 1, 2000, and ending July 31, 2006.

4 (1h) CIRCUIT JUDGE POSITION. The authorized FTE positions for the circuit courts
5 are increased by 1.0 GPR circuit judge position on August 1, 2000, to be funded from
6 the appropriation under section 20.625 (1) (a) of the statutes, to provide an additional
7 circuit court judge for the circuit court branch for Waupaca County created by this
8 act.

9 (1i) COURT REPORTER POSITION. The authorized FTE positions for the circuit
10 courts are increased by 1.0 GPR court reporter position on August 1, 2000, to be
11 funded from the appropriation under section 20.625 (1) (a) of the statutes, to provide
12 one additional court reporter for the circuit court branch for Waupaca County created
13 by this act.

14 (2f) CIRCUIT COURT SUPPORT PAYMENTS. Notwithstanding section 758.19 (5) (b)
15 (intro.) of the statutes, as affected by this act, if the director of state courts has made
16 a payment under section 758.19 (5) of the statutes after June 30, 1999, and before
17 the effective date of this subsection, the initial payment required by section 758.19
18 (5) (b) (intro.) of the statutes, as affected by this act, shall be reduced by the amount
19 of that payment.

20 (2g) SOLICITATION OF HOMICIDE OF PARENT AS TERMINATION OF PARENTAL RIGHTS
21 GROUND. The treatment of section 48.415 (8) of the statutes first applies to petitions
22 for termination of parental rights under section 48.42 (1) of the statutes filed on the
23 effective date of this subsection, but does not preclude consideration of a conviction
24 under section 939.30 of the statutes obtained before the effective date of this
25 subsection in determining whether to terminate, or to find grounds to terminate, the

1 parental rights of a person under section 48.415 (8) of the statutes, as affected by this
2 act.

3 **SECTION 9110. Nonstatutory provisions; commerce.**

4 (1) GRANTS TO BROWN COUNTY. From the appropriation under section 20.143 (1)
5 (kj) of the statutes, as created by this act, the department of commerce shall make
6 grants to Brown County of \$500,000 in fiscal year 1999–2000 and \$1,000,000 in fiscal
7 year 2000–01 for economic development.

8 (3g) BUILDING PERMITS FOR CONSTRUCTION OF CERTAIN ONE- AND 2-FAMILY
9 DWELLINGS. Notwithstanding section 101.651 (2m) and (3) (b) of the statutes, as
10 created by this act, a person is not required to obtain a building permit for
11 construction that begins before the effective date of this subsection if, at the time that
12 the construction begins, the municipality where the construction is located is exempt
13 under section 101.651 (2), 1997 stats., the municipality has not enacted an ordinance
14 requiring a building permit for the construction, the municipality does not jointly
15 exercise jurisdiction with a political subdivision that requires a building permit for
16 the construction and the municipality has not requested a county or the department
17 of commerce to provide building permit services under section 101.651 (3), 1997
18 stats.

19 (3j) DEPARTMENT OF COMMERCE ENFORCEMENT OF ONE- AND 2-FAMILY DWELLING
20 CODE IN CERTAIN MUNICIPALITIES. Notwithstanding section 101.651 (3) (b) of the
21 statutes, as created by this act, if the department of commerce enters into a contract
22 with a municipality before July 1, 2000, to provide inspection services in the
23 municipality under section 101.651 (3) (b) of the statutes, as created by this act, the
24 department shall begin providing the inspection services under the contract no later
25 than July 1, 2000.

1 (3yt) FINANCIAL MANAGEMENT OF PETROLEUM STORAGE REMEDIAL ACTION PROGRAM.

2 No later than the first day of the 6th month beginning after the effective date of this
3 subsection, the department of commerce shall do all of the following:

4 (a) Update its financial data base for the program under section 101.143 of the
5 statutes to ensure that complete cost information related to each occurrence and to
6 the annual payment to each owner or operator is readily available.

7 (b) Investigate any variances between the amount of total payments indicated
8 by the department's financial data base for the program under section 101.143 of the
9 statutes and the amount of total payments indicated by the accounts maintained by
10 the department of administration under section 16.52 of the statutes to identify
11 when the variances occurred and the reasons for the variances.

12 (c) Make any changes in the department's financial data base needed to ensure
13 that the data base is consistent with the accounts maintained by the department of
14 administration under section 16.52 of the statutes.

15 (3yu) RULE MAKING FOR PETROLEUM STORAGE REMEDIAL ACTION PROGRAM.

16 (a) The department of commerce and the department of natural resources shall
17 submit in proposed form the rules required under section 101.143 (2) (h), (i) and (j)
18 and (2e) of the statutes, as created by this act, to the legislature under section 227.19
19 of the statutes no later than June 1, 2000.

20 (b) Using the procedure under section 227.24 of the statutes, the department
21 of commerce and the department of natural resources shall promulgate the rules
22 required under section 101.143 (2) (h), (i) and (j) and (2e) of the statutes, as created
23 by this act. Notwithstanding section 227.24 (1) (c) and (2) of the statutes, the
24 emergency rules may remain in effect until September 1, 2000, or the date on which
25 rules under paragraph (a) take effect, whichever is sooner. Notwithstanding section

1 227.24 (1) (a), (2) (b) and (3) of the statutes, the departments are not required to
2 provide evidence that promulgating rules under this paragraph is necessary for the
3 preservation of the public peace, health, safety or welfare and is not required to
4 provide a finding of emergency for rules promulgated under this paragraph. The
5 departments shall promulgate rules under this paragraph no later than the 30th day
6 after the effective date of this paragraph.

7 (c) Using the procedure under section 227.24 of the statutes, the department
8 of commerce shall promulgate rules to implement section 101.143 (4) (cm) 1. of the
9 statutes, as affected by this act, for the period before the effective date of permanent
10 rules, but not to exceed the period authorized under section 227.24 (1) (c) and (2) of
11 the statutes. Notwithstanding section 227.24 (1) (a), (2) (b) and (3) of the statutes,
12 the department is not required to provide evidence that promulgating rules under
13 this paragraph is necessary for the preservation of the public peace, health, safety
14 or welfare and is not required to provide a finding of emergency for rules promulgated
15 under this paragraph. The department shall promulgate rules under this paragraph
16 no later than November 1, 1999.

17 (d) The department of commerce shall submit in proposed form any rules under
18 section 101.143 (2) (h) of the statutes, as created by this act, to the legislature under
19 section 227.19 of the statutes no later than June 1, 2000.

20 (e) If the conditions under section 101.144 (3g) (a) of the statutes, as created
21 by this act, apply on December 1, 1999, using the procedure under section 227.24 of
22 the statutes, the department of commerce shall promulgate the rules required under
23 section 101.144 (3g) (a) of the statutes, as created by this act, for the period before
24 the effective date of permanent rules, but not to exceed the period authorized under
25 section 227.24 (1) (c) and (2) of the statutes. Notwithstanding section 227.24 (1) (a),

1 (2) (b) and (3) of the statutes, the department is not required to provide a finding of
2 emergency for rules promulgated under this paragraph. The department shall
3 promulgate rules under this paragraph no later than December 31, 1999.

4 (3yv) TRANSFER OF SITES. The department of natural resources and the
5 department of commerce shall identify sites the classification of which is changed
6 because of the changes made by this act in section 101.144 of the statutes and shall
7 transfer authority over those sites no later than December 1, 1999.

8 (3yw) REPORT CONCERNING INTEREST COSTS. No later than March 1, 2000, the
9 department of commerce shall submit a report to the joint committee on finance and
10 the joint committee for review of administrative rules containing recommendations
11 for actions that the department could take to reduce interest costs incurred by
12 claimants under the program under section 101.143 of the statutes, including a
13 review of schedules for making progress payments to claimants.

14 (3yx) EVALUATION OF USUAL AND CUSTOMARY COST SCHEDULE. The department of
15 commerce shall evaluate the operation of section 101.143 (4) (cm) 1. of the statutes,
16 as affected by this act, and shall report the results of the evaluation to the joint
17 legislative audit committee, to the joint committee on finance and to the appropriate
18 standing committees of the legislature, in the manner provided in section 13.172 (3)
19 of the statutes, no later than the first day of the 14th month beginning after the
20 effective date of this subsection.

21 (4) LOAN FOR PEDESTRIAN BRIDGE PROJECT.

22 (a) The department of commerce may make a loan of not more than \$600,000
23 from the appropriations under section 20.143 (1) (c) and (ie) of the statutes, as
24 affected by this act, to a person for a project that includes a pedestrian bridge, if all
25 of the following apply:

1 1. The person submits a plan to the department of commerce detailing the
2 proposed use of the loan and the secretary of commerce approves the plan.

3 2. The person enters into a written agreement with the department of
4 commerce that specifies the loan terms and the conditions for use of the loan
5 proceeds, including reporting and auditing requirements.

6 3. The person agrees in writing to submit to the department of commerce,
7 within 6 months after spending the full amount of the loan, a report detailing how
8 the loan proceeds were used.

9 (b) The department of commerce shall deposit in the appropriation account
10 under section 20.143 (1) (ie) of the statutes, as affected by this act, any moneys
11 received in repayment of the loan.

12 (c) The department of commerce may not pay loan proceeds under this
13 subsection after June 30, 2000.

14 (5) GRANT FOR MANUFACTURING TECHNOLOGY TRAINING CENTER.

15 (a) In this subsection:

16 1. “Consortium” means an association of business, governmental and
17 educational entities.

18 2. “Department” means the department of commerce.

19 3. “Secretary” means the secretary of commerce.

20 (b) Subject to paragraph (d), the department may make a grant of not more
21 than \$1,500,000 from the appropriation under section 20.143 (1) (c) of the statutes,
22 as affected by this act, to a consortium for a manufacturing technology training
23 center if all of the following apply:

24 1. The consortium is located in the Racine–Kenosha area.

1 2. The consortium submits a plan to the department detailing the proposed use
2 of the grant and the secretary approves the plan.

3 3. The consortium enters into a written agreement with the department that
4 specifies the conditions for use of the grant proceeds, including reporting and
5 auditing requirements.

6 3m. The consortium agrees in writing to use 60% of the grant proceeds in
7 Racine County and 40% of the grant proceeds in Kenosha County.

8 4. The consortium agrees in writing to submit to the department the report
9 required under paragraph (c) by the time required under paragraph (c).

10 (c) If a consortium receives a grant under this subsection, it shall submit to the
11 department, within 6 months after spending the full amount of the grant, a report
12 detailing how the grant proceeds were used.

13 (d) 1. The department may not pay grant proceeds under this subsection after
14 June 30, 2001.

15 2. The department may not disburse more than \$750,000 in grant proceeds
16 under this subsection in either fiscal year 1999–2000 or fiscal year 2000–01.

17 (6c) GRANT RELATED TO WELL REPLACEMENT. From the appropriation under
18 section 20.143 (1) (kj) of the statutes, as affected by this act, the department of
19 commerce shall make a grant of \$299,800 in fiscal year 1999–2000 to a city that was
20 required to replace its city well because of federal highway construction.

21 (6e) GRANT FOR PEDESTRIAN ENHANCEMENTS. In fiscal year 1999–2000, the
22 department of commerce may make a grant, not exceeding \$100,000, from the
23 appropriation under section 20.143 (1) (fg) of the statutes, as affected by this act, to
24 the city of Menasha for pedestrian enhancements to its city square if the city of

1 Menasha contributes funds for the project that at least equal the amount of the
2 grant.

3 (7b) COMMUNITY DEVELOPMENT BLOCK GRANT FOR WATER WELL.

4 (a) The department of commerce shall make a grant of \$299,000 in fiscal year
5 1999–2000, from the appropriation under section 20.143 (1) (n) of the statutes, to the
6 town of Rib Mountain for drilling a new water well.

7 (b) Within 6 months after spending the full amount of the grant, the town of
8 Rib Mountain shall submit to the department of commerce a report detailing how the
9 grant proceeds were spent.

10 (7bt) LOAN TO CITY BREWERY.

11 (a) Notwithstanding section 560.61 (intro.) of the statutes and section 560.66
12 (1) (intro.) of the statutes, as affected by this act, regardless of whether the
13 development finance board so requests, the department of commerce shall make a
14 loan of \$1,500,000 under section 560.66 of the statutes from the appropriations
15 under section 20.143 (1) (c) and (ie) of the statutes, as affected by this act, to City
16 Brewery in the city of LaCrosse if all of the following apply:

17 1. The proposed recipient submits a plan to the department of commerce
18 detailing the proposed use of the loan and the secretary of commerce approves the
19 plan.

20 2. The proposed recipient enters into a written agreement with the department
21 of commerce that specifies the loan terms and the conditions for use of the loan
22 proceeds, including reporting and auditing requirements.

23 3. The proposed recipient agrees in writing to submit to the department of
24 commerce, within 6 months after spending the full amount of the loan, a report
25 detailing how the loan proceeds were used.

1 (b) The department of commerce shall deposit in the appropriation account
2 under section 20.143 (1) (ie) of the statutes, as affected by this act, any moneys
3 received in repayment of the loan.

4 (c) The department of commerce may not pay loan proceeds under this
5 subsection after June 30, 2001.

6 (7h) GRANT FOR SWISS CULTURAL CENTER.

7 (a) Subject to paragraph (b), from the appropriation under section 20.143 (1)
8 (km) of the statutes, as created by this act, the department of commerce shall make
9 a grant in fiscal biennium 1999–2001 to an organization known as the Swiss Cultural
10 Center for construction of a Swiss cultural center in the village of New Glarus.

11 (b) The amount of the grant under paragraph (a) may not exceed \$1,000,000.
12 For every dollar received from the state for the project under paragraph (a), the
13 organization shall provide \$2 in matching funds for the project from a source other
14 than the state.

15 (c) Within 6 months after spending the full amount of the grant under
16 paragraph (a), the organization shall submit to the department of commerce a report
17 detailing how the grant proceeds were used.

18 (7n) ADMINISTRATION OF MOBILE HOMES.

19 (a) The authorized FTE positions for the department of commerce are
20 decreased by 1.6 PR positions funded from the appropriation under section 20.143
21 (3) (j) of the statutes, as affected by this act, for the purpose of administering
22 subchapter V of chapter 101 of the statutes, as affected by this act.

23 (b) The authorized FTE positions for the department of commerce are increased
24 by 1.6 SEG positions, to be funded from the appropriation under section 20.143 (3)

1 (sa) of the statutes, as created by this act, for the purpose of administering
2 subchapter V of chapter 101 of the statutes, as affected by this act.

3 (7rm) GRANT FOR SLUDGE STUDY AND MARKETING.

4 (a) In this subsection, “board” means the recycling market development board.

5 (b) Subject to paragraph (e), the board shall award a grant of \$133,000 to the
6 West Central Wisconsin Biosolids Facility Commission if all of the following apply:

7 1. The commission submits a plan to the board detailing the proposed use of
8 the grant and the board approves the plan.

9 2. The commission enters into a written agreement with the board that
10 specifies the conditions for use of the grant proceeds, including reporting and
11 auditing requirements.

12 3. The commission agrees in writing to submit to the board the report required
13 under paragraph (d) 2. by the time required under paragraph (d) 2.

14 (c) If the board awards a grant under this subsection, the department of
15 commerce shall pay the grant proceeds from the appropriation under section 20.143
16 (1) (tm) of the statutes, as affected by this act.

17 (d) If the commission receives a grant under this subsection, the commission
18 shall do all of the following:

19 1. Use the grant proceeds to determine the feasibility of creating sludge-based
20 products and of marketing those products and to develop markets for the biosolid
21 materials being produced from waste products by the commission.

22 2. Within 6 months after spending the full amount of the grant, submit to the
23 board a report detailing how the grant proceeds were used.

24 (e) The board may not award and the department may not pay grant proceeds
25 under this subsection after June 30, 2001.

1 (7v) GRANTS TO CAP SERVICES, INC. From the appropriation under section
2 20.143 (1) (fg) of the statutes, as affected by this act, the department of commerce
3 shall make a grant of \$25,000 in each of fiscal years 1999–2000 and 2000–01 to CAP
4 Services, Inc., for providing technical assistance and management services to small
5 businesses. Within 6 months after spending the full amount of each grant under this
6 subsection, CAP Services, Inc., shall submit a report to the department of commerce
7 detailing how the grant proceeds were used. Any grant awarded to CAP Services,
8 Inc., under section 560.14 of the statutes, as affected by this act, in fiscal year
9 1999–2000 or 2000–01 for providing technical assistance and management services
10 to small businesses may be counted toward satisfying the requirement under this
11 subsection.

12 (8e) COMMUNITY DEVELOPMENT BLOCK GRANT FOR DOMESTIC VIOLENCE SHELTER.
13 The department of commerce shall make a grant of \$250,000 in fiscal year
14 1999–2000, from the appropriation under section 20.143 (1) (n) of the statutes, to a
15 county in which a domestic violence shelter is being constructed by the Young
16 Women’s Christian Association in a city that is located in the county and that has a
17 population greater than 52,000 but less than 60,000. The county must use the grant
18 proceeds to provide financial assistance to the Young Women’s Christian Association
19 for the construction of the domestic violence shelter. Within 6 months after spending
20 the full amount of the grant, the county shall submit to the department of commerce
21 a report detailing how the grant proceeds were spent.

22 (8gm) GRANT FOR BROWNFIELDS CLEANUP AND PARK.

23 (a) In this subsection:

- 24 1. “Brownfields” has the meaning given in section 560.13 (1) (a) of the statutes.
25 2. “Department” means the department of commerce.

1 3. “Secretary” means the secretary of commerce.

2 (b) Notwithstanding section 560.13 of the statutes, as affected by this act, from
3 the appropriation under section 20.143 (1) (qm) of the statutes, as affected by this act,
4 the department shall make a grant of \$100,000 to a person for the cleanup of a
5 brownfields site in the city of Kenosha and for development of the cleaned-up site
6 as a park if all of the following apply:

7 1. The person submits a plan to the department detailing the proposed use of
8 the grant and the secretary approves the plan.

9 2. The person enters into a written agreement with the department that
10 specifies the conditions for use of the grant proceeds, including reporting and
11 auditing requirements.

12 3. The person agrees in writing to submit to the department the report required
13 under paragraph (c) by the time required under paragraph (c).

14 (c) If a person receives a grant under this subsection, the person shall submit
15 to the department, within 6 months after spending the full amount of the grant, a
16 report detailing how the grant proceeds were used.

17 (d) The department may not pay grant proceeds under this subsection after
18 June 30, 2001.

19 (8h) RECYCLING MARKET DEVELOPMENT STAFF.

20 (a) The authorized FTE positions for the department of commerce, funded from
21 the appropriation under section 20.143 (1) (st) of the statutes, are decreased by 4.0
22 SEG project positions for staff for the recycling market development board.

23 (b) The authorized FTE positions for the department of commerce, funded from
24 the appropriation under section 20.143 (1) (st) of the statutes, are increased by 2.0
25 SEG positions for a loan portfolio manager to manage past and future financial

1 assistance awarded by the recycling market development board and for a commodity
2 specialist to develop and direct strategy for recycling market development.

3 **SECTION 9111. Nonstatutory provisions; corrections.**

4 (2d) PROFITABILITY REQUIREMENT.

5 (a) In this subsection:

6 1. "Prison contract" has the meaning given in section 303.01 (11) (a) 2. of the
7 statutes.

8 2. "Profitable" means earning a profit, as determined by the report described
9 in paragraph (b), during at least three quarters of calendar year 2000.

10 (b) The department of corrections and the department of administration shall
11 submit a report to the joint committee on finance for each quarter of calendar year
12 2000 providing the department of corrections' cash balance summary under each
13 prison contract. Each report shall be prepared within 30 days after the end of the
14 quarter. The report for the 4th quarter shall state whether the department's
15 operations under at least two-thirds of its prison contracts were profitable during
16 calendar year 2000. If less than two-thirds of its prison contracts were profitable,
17 the department of corrections shall terminate its program for contracting with
18 private employers under section 303.01 (2) (em) of the statutes, as affected by this
19 act.

20 (c) If the report under paragraph (b) states that less than two-thirds of prison
21 contracts were profitable during calendar year 2000, the cochairpersons of the joint
22 committee on finance shall certify that fact to the revisor of statutes no later than
23 March 1, 2001. Upon the certification, the revisor of statutes shall publish notice in
24 the Wisconsin Administrative Register of the report and that, as of March 1, 2001,
25 the treatment of sections 20.410 (1) (gi), (hm) and (km), 20.455 (5) (i), 108.07 (8) (b),

1 303.01 (8) (b), (c), (d) and (e), 303.06 (3) and 303.21 (1) (b) of the statutes and the
2 repeal of section 303.01 (2) (em) and (11) of the statutes have taken effect.

3 (4xx) CAREGIVER CRIMINAL BACKGROUND CHECKS. The department of corrections,
4 in conjunction with the University of Wisconsin–Madison, shall prepare a report on
5 the correlation between prior convictions and the propensity to commit future acts
6 of abuse, neglect or misappropriation. The department of corrections shall submit
7 the report to the legislature in the manner provided under section 13.172 (3) of the
8 statutes no later than June 30, 2001.

9 (6e) COMPUTER RECYCLING PROGRAM. The authorized FTE positions for the
10 department of corrections are increased by 4.0 SEG project positions for the period
11 ending on June 30, 2001, to be funded from the appropriation under section 20.410
12 (1) (qm) of the statutes, as created by this act, for the purpose of the department's
13 computer recycling program.

14 **SECTION 9113. Nonstatutory provisions; educational communications**
15 **board.**

16 (1mm) RESTRUCTURING PUBLIC BROADCASTING AND FUNDING DIGITAL TELEVISION
17 TRANSITION COMMITTEE. There is created a restructuring public broadcasting and
18 funding digital television transition committee, which shall consist of 6 members
19 appointed by the governor, one member appointed by the senate majority leader and
20 one member appointed by the speaker of the assembly. Of the members appointed
21 by the governor, one member shall be appointed from a list of nominees submitted
22 by the Friends of WHA–TV, one member shall be appointed from a list of nominees
23 submitted by the president of the University of Wisconsin System or his or her
24 designee, one member shall be appointed from a list of nominees submitted by the
25 educational communications board, one member shall be appointed from a list of

1 nominees submitted by the state superintendent of public instruction or his or her
2 designee and one member shall be appointed from a list of nominees submitted by
3 the director of the technical college system or his or her designee. The governor shall
4 designate one of the members of the committee as the chairperson. The committee
5 shall recommend legislation for restructuring the organization of public
6 broadcasting in this state and funding the transition to digital television for public
7 broadcasting in this state. On or before January 15, 2000, the committee shall
8 submit the proposed legislation to the governor, and to the legislature for
9 distribution to the appropriate standing committees in the manner provided under
10 section 13.172 (3) of the statutes. The committee shall cease to exist when the
11 committee has submitted the proposed legislation required under this subsection, or
12 on January 15, 2000, whichever occurs sooner.

13 **SECTION 9115. Nonstatutory provisions; employe trust funds.**

14 (1g) PRIVATE EMPLOYER HEALTH CARE COVERAGE BOARD. Notwithstanding the
15 length of terms specified for the members of the private employer health care
16 coverage board under section 15.165 (5) of the statutes, as created by this act, the
17 initial members shall be appointed for the following terms:

18 (a) The members specified under section 15.165 (5) (a) 1., 3. and 7. of the
19 statutes, as created by this act, for terms expiring on May 1, 2002.

20 (b) The members specified under section 15.165 (5) (a) 2., 5. and 8. of the
21 statutes, as created by this act, for terms expiring on May 1, 2003.

22 (c) The members specified under section 15.165 (5) (a) 4. and 6. of the statutes,
23 as created by this act, for terms expiring on May 1, 2004.

24 (1h) POSITION AUTHORIZATION FOR PROVISION OF BENEFITS. The authorized FTE
25 positions for the department of employe trust funds are increased by 19 SEG project

1 positions for the period ending on June 30, 2001, to be funded from the appropriation
2 under section 20.515 (1) (v) of the statutes, as created by this act, for the purpose of
3 providing benefits under the Wisconsin retirement system.

4 (2) POSITION AUTHORIZATIONS FOR THE DEPARTMENT OF EMPLOYE TRUST FUNDS. The
5 authorized FTE positions for the department of employe trust funds are increased
6 by 3.5 GPR positions on the effective date of this subsection, to be funded from the
7 appropriation under section 20.515 (2) (a) of the statutes, as created by this act, for
8 the purpose of designing and contracting for administrative services for the private
9 employer health care coverage program under subchapter X of chapter 40 of the
10 statutes, as created by this act.

11 (3) GRANT FOR ADMINISTRATION OF PROGRAM.

12 (a) In this subsection:

13 1. “Administrator” means the administrator selected by the department under
14 section 40.98 (2) (a) 2. of the statutes, as created by this act.

15 2. “Department” means the department of employe trust funds.

16 3. “Secretary” means the secretary of employe trust funds.

17 (b) The department shall make a grant of \$200,000 from the appropriation
18 under section 20.515 (2) (b) of the statutes, as created by this act, to the administrator
19 for costs associated with administering the health care coverage plans under the
20 program under subchapter X of chapter 40 of the statutes, as created by this act, if
21 all of the following apply:

22 1. The administrator submits a plan to the department detailing the proposed
23 use of the grant and the secretary approves the plan.

1 2. The administrator enters into a written agreement with the department that
2 specifies the conditions for use of the grant proceeds, including reporting and
3 auditing requirements.

4 3. The administrator agrees in writing to submit to the department the report
5 required under paragraph (c) by the time required under paragraph (c).

6 (c) If the administrator receives a grant under this subsection, the
7 administrator shall submit to the department, within 6 months after spending the
8 full amount of the grant, a report detailing how the grant proceeds were used.

9 **SECTION 9117. Nonstatutory provisions; employment relations**
10 **department.**

11 (1w) TRAINING PROGRAMS. The authorized FTE positions for the department of
12 employment relations are increased by 0.5 PR position, to be funded from the
13 appropriation under section 20.512 (1) (jm) of the statutes, for the purpose of
14 providing training services.

15 **SECTION 9121. Nonstatutory provisions; governor.**

16 (1c) POSITION AUTHORIZATIONS. The authorized FTE positions for the office of the
17 governor are increased by 2.0 GPR policy analyst positions on January 1, 2000, to be
18 funded from the appropriation under section 20.525 (1) (a) of the statutes.

19 (1w) DANE COUNTY REGIONAL PLANNING COMMISSION. The governor shall appoint
20 a task force, consisting of 15 members, which shall study, and make
21 recommendations regarding, the creation of a multicounty regional planning
22 commission to replace the Dane County regional planning commission after its
23 dissolution.

24 **SECTION 9123. Nonstatutory provisions; health and family services.**

1 (1) **RULES FOR FAMILY CARE BENEFIT.** Using the procedure under section 227.24
2 of the statutes, the department of health and family services shall promulgate the
3 rules required under sections 46.286 (4) to (7), 46.288 (1) to (3) and 50.02 (2) (d) of
4 the statutes, as created by this act, for the period before the effective date of the
5 permanent rules promulgated under sections 46.286 (4) to (7), 46.288 (1) to (3) and
6 50.02 (2) (d) of the statutes, as created by this act, but not to exceed the period
7 authorized under section 227.24 (1) (c) and (2) of the statutes. Notwithstanding
8 section 227.24 (1) (a), (2) (b) and (3) of the statutes, the department is not required
9 to provide evidence that promulgating a rule under this subsection as an emergency
10 rule is necessary for the preservation of the public peace, health, safety or welfare
11 and is not required to provide a finding of emergency for a rule promulgated under
12 this subsection.

13 (1m) **REPORT ON FAMILY CARE.** Notwithstanding section 16.42 (1) of the statutes,
14 by November 1, 2000, the department of health and family services shall submit to
15 the governor, as part of the department's 2001–03 biennial budget request, a report
16 that describes the implementation and outcomes of the pilot projects under section
17 46.281 (1) (d) of the statutes, as created by this act, and that makes recommendations
18 on the family care program under sections 46.2805 to 46.2895 of the statutes, as
19 created by this act.

20 (1n) **ALTERNATIVE TO FAMILY CARE.**

21 (a) The department of health and family services shall, as soon as possible
22 before July 1, 2002, seek waivers of federal medical assistance statutes and
23 regulations from the federal department of health and human services that are
24 necessary to implement in up to 3 pilot sites a model for the provision of long-term
25 care that is an alternative to the family care program under sections 46.2805 to

1 46.2895 of the statutes, as created by this act, that would have all of the following
2 characteristics:

3 1. Medical assistance coverage of services under waiver programs under
4 sections 46.27 (11), 46.275, 46.277 and 46.278 of the statutes would be expanded to
5 include selected services specified under section 49.46 (2) (b) of the statutes,
6 including personal care and home health care.

7 2. Counties in which the pilot sites are located would provide or contract for the
8 provision of, organize or arrange for long-term care services to eligible persons, but
9 would not be required to compete with private or nonprofit organizations for
10 contracts to provide the long-term care.

11 3. Counties in which the pilot sites are located would provide services of a
12 resource center, as specified under section 46.283 (4) of the statutes, as created by
13 this act. However, the entity providing the services need not be separate from an
14 entity that provides, contracts for the provision of, organizes or arranges for
15 long-term care services under subdivision 2., except that a county may contract for
16 the provision of functions if necessary to obtain federal waiver approval.

17 4. The cost of the program would not exceed the cost of relevant aspects of the
18 family care program.

19 5. Pilot sites would be required to reduce average costs per person served in the
20 areas of the sites under sections 46.27 (11), 46.275, 46.277 and 46.278 of the statutes
21 as compared to those costs for the calendar year preceding implementation of the
22 alternative model, in order to serve additional persons on waiting lists for the
23 services.

24 6. The department of health and family services would distribute funding to
25 the pilot sites on a per person per month payment basis using the same methodology

1 as that used under section 46.284 (5) (a) of the statutes, as created by this act, as
2 adjusted for the specific services provided.

3 7. The risk-sharing provisions specified under section 46.284 (5) of the
4 statutes, as created by this act, would apply to pilot sites.

5 8. Resource centers operated by pilot sites would be required to provide or
6 contract for the provision of services similar to those specified under section 46.283
7 (3) (a), (b), (e), (f), (g), (i) and (k) of the statutes, as created by this act.

8 (b) If the federal waivers specified under paragraph (a) are approved, the
9 department of health and family services shall as soon as possible before
10 July 1, 2002, seek enactment of statutory language, including appropriation of
11 necessary funding, to implement the model described under paragraph (a), as
12 approved under the federal waivers.

13 (2) HEALTH INSURANCE RISK-SHARING PLAN AND MEDICAL ASSISTANCE PURCHASE
14 PLAN. The department of health and family services shall evaluate how to coordinate
15 the health insurance risk-sharing plan under chapter 149 of the statutes, as affected
16 by this act, and the medical assistance purchase plan under section 49.472 of the
17 statutes, as created by this act. If necessary, the department shall develop proposed
18 legislation that coordinates the programs and that addresses the provision of health
19 care coverage for individuals who are eligible for both programs.

20 (3) MENTAL HEALTH AND ALCOHOL OR OTHER DRUG ABUSE MANAGED CARE
21 DEMONSTRATION PROJECTS.

22 (a) From the appropriations under section 20.435 (6) (a) of the statutes, as
23 affected by this act, and section 20.435 (6) (n) of the statutes, the department of
24 health and family services shall contract with counties or federally recognized
25 American Indian tribes or bands to provide up to 4 demonstration projects in state

1 fiscal year 2000–01. The demonstration projects shall be to provide mental health
2 and alcohol or other drug abuse services under managed care programs to persons
3 who suffer from mental illness, alcohol or other drug dependency or both mental
4 illness and alcohol or other drug dependency.

5 (b) The department of health and family services shall submit for approval by
6 the secretary of the federal department of health and human services any requests
7 for waiver of federal medical assistance laws that are necessary to secure federal
8 financial participation for the managed care demonstration projects under this
9 subsection. Regardless of whether a waiver is approved, the department of health
10 and family services may contract for the provision of the managed care
11 demonstration projects under this subsection.

12 (5) PRELIMINARY BREATH SCREENING INSTRUMENTS. From the appropriation
13 account under section 20.435 (6) (hx) of the statutes, as affected by this act, the
14 secretary of administration shall transfer \$290,900 to the appropriation account
15 under section 20.395 (5) (ci) of the statutes not later than 30 days after the effective
16 date of this subsection.

17 (6tt) BADGER CARE PREMIUMS FOR NATIVE AMERICANS. If the department of health
18 and family services receives notification from the federal department of health and
19 human services that Native Americans may not be required to contribute to the cost
20 of health care coverage under the badger care program under section 49.665 of the
21 statutes, as affected by this act, the department shall request the joint committee on
22 finance to supplement the appropriation account under section 20.435 (4) (bc) of the
23 statutes, as affected by this act, from the appropriation account under section 20.865
24 (4) (a) of the statutes for the 1999–2001 fiscal biennium. Notwithstanding section
25 13.101 (3) of the statutes, if, within 14 days after receiving the request, the

1 cochairpersons of the committee do not notify the secretary that the committee has
2 scheduled a meeting for the purpose of approving the request for supplementation,
3 the request shall be considered approved and the appropriation account under
4 section 20.435 (4) (bc) of the statutes, as affected by this act, shall be supplemented
5 from the appropriation account under section 20.865 (4) (a) of the statutes in the
6 amount requested.

7 (6tu) GRANTS TO TRIBAL HEALTH CENTERS. No later than the first day of the 2nd
8 month beginning after the effective date of this subsection, the department of health
9 and family services shall submit a plan to the joint committee on finance that
10 specifies the distribution formula for grants under section 146.19 (2m) of the
11 statutes, as created by this act. If, within 14 days after receiving the plan, the
12 cochairpersons of the committee do not notify the secretary that the committee has
13 scheduled a meeting for the purpose of reviewing the plan, the department shall
14 distribute the grants under section 146.19 (2m) of the statutes, as created by this act,
15 in accordance with the plan. If, within 14 days after receiving the plan, the
16 cochairpersons notify the secretary that the committee has scheduled a meeting for
17 the purpose of reviewing the plan, the department may not distribute the grants
18 except as approved by the committee.

19 (7) REPORT TO LEGISLATURE REGARDING HUNGER PREVENTION GRANTS. The
20 department of health and family services shall, by June 30, 2000, submit a report to
21 the governor, and to the legislature in the manner provided under section 13.172 (2)
22 of the statutes, on grants made under section 46.765, 1997 stats., and the
23 community-based hunger prevention activities conducted using those grants.

24 (7t) NOCTURNAL ENURESIS STUDY. The department of health and family services
25 shall conduct a study of the efficacy of urine alarms used in conjunction with

1 behavior modification therapy and case management, including bimonthly visits
2 with a specialist, as a treatment for nocturnal enuresis. Not later than
3 January 1, 2000, the department shall report its findings to the appropriate
4 standing committees of the legislature in the manner provided under section 13.172
5 (3) of the statutes. The department shall include in its report the estimated costs of
6 covering under the medical assistance program the treatment studied.

7 (7w) CLIENT ASSISTANCE FOR REEMPLOYMENT AND ECONOMIC SUPPORT. The
8 departments of health and family services and workforce development shall jointly
9 develop a plan to modify the client assistance for reemployment and economic
10 support system such that an individual may have his or her eligibility for any public
11 assistance program determined independently of his or her eligibility for any other
12 public assistance program. The departments shall submit their plan to the joint
13 committee on finance not later than November 1, 1999.

14 (8d) STUDY ON ELECTRONIC BENEFITS TRANSFER SYSTEMS UNDER THE SUPPLEMENTAL
15 FOOD PROGRAM FOR WOMEN, INFANTS AND CHILDREN.

16 (a) The department of health and family services shall study all of the
17 following:

18 1. The program and operational requirements of establishing an electronic
19 benefit transfer system under the supplemental food program for women, infants
20 and children.

21 2. Information system requirements for administering an electronic benefit
22 transfer system under the supplemental food program for women, infants and
23 children.

1 3. Compatibility of an electronic benefit transfer system under the
2 supplemental food program for women, infants and children with existing electronic
3 benefit transfer systems.

4 4. The costs and benefits of implementing an electronic benefit transfer system
5 to the department of health and family services, participants and vendors under the
6 supplemental food program for women, infants and children.

7 5. Possible funding sources for the implementation of an electronic benefit
8 transfer system under the supplemental food program for women, infants and
9 children.

10 (b) Not later than January 1, 2002, the department of health and family
11 services shall report the findings of the study under paragraph (a) to the
12 cochairpersons of the joint committee on finance. The report shall also include
13 recommendations for fraud reduction under the supplemental food program for
14 women, infants and children.

15 (8gm) DNA PROBE MACHINE. From the appropriation under section 20.435 (1)
16 (a) of the statutes, the department of health and human services shall allocate
17 \$250,000 during the fiscal year 1999–2000 to the City of Milwaukee for the purchase
18 of a DNA probe machine.

19 (8mx) HEALTH CARE INFORMATION PROPOSAL.

20 (a) By June 30, 2001, the department of health and family services may
21 develop and submit a proposal to the department of administration for supplemental
22 expenditure and position authority for the conduct of health care data collection
23 activities, except as provided in paragraph (b), by the subunit of the department of
24 health and family services that deals with health care information. If submitted, the
25 proposal shall identify potential sources of revenue to support proposed health care

1 data collection activities. The department of administration may submit the
2 proposal, together with any proposed legislation required to implement the proposal,
3 to the cochairpersons of the joint committee on finance. If the cochairpersons of the
4 committee do not notify the secretary of administration within 14 working days after
5 receiving the proposal that the cochairpersons have scheduled a meeting for the
6 purpose of reviewing the proposal, the department of administration may approve
7 the proposed expenditure and position authority, as authorized under current law.
8 If, within 14 working days after receiving the proposal, the cochairpersons notify the
9 secretary of administration that the cochairpersons have scheduled a meeting for the
10 purpose of reviewing the proposal, the department of administration may not
11 approve the proposed expenditure and position authority, except as approved by the
12 committee and as authorized under current law.

13 (b) By June 30, 2000, the department of health and family services, the subunit
14 of the department of employe trust funds that deals with health care financing and
15 the office of the commissioner of insurance shall together develop a proposal for
16 consolidation of voluntarily provided health plan data collected by those agencies
17 and a detailed memorandum of understanding for implementing the proposal. If the
18 proposal is acceptable to each agency, the secretary of health and family services, the
19 secretary of employe trust funds and the commissioner of insurance shall sign the
20 memorandum of understanding and submit the proposal, the memorandum of
21 understanding, a report concerning any potential cost savings from the consolidated
22 collection of voluntarily provided health plan data and any proposed legislation
23 required to implement the proposal to the department of administration. The
24 department of administration may approve, disapprove or modify and approve any
25 proposal it receives under this paragraph. If the department of administration

1 approves the proposal, the department shall submit the proposal, together with any
2 modifications the memorandum of understanding, the report and any proposed
3 legislation to the cochairpersons of the joint committee on finance. If the
4 cochairpersons of the committee do not notify the secretary of administration within
5 14 working days after receiving the proposal that the cochairpersons have scheduled
6 a meeting for the purpose of reviewing the proposal, the department of
7 administration may approve any proposed expenditure and position authority
8 contained in the proposal and any modifications of the proposal to the extent
9 authorized under current law. If, within 14 working days after receiving the
10 proposal, the cochairpersons notify the secretary of administration that the
11 cochairpersons have scheduled a meeting for the purpose of reviewing the proposal,
12 the department of administration may not approve the proposed expenditure and
13 position authority contained in the proposal any proposed modifications of the
14 proposal, except as approved by the committee and to the extent authorized under
15 current law. If the proposal, as approved by the department of administration and
16 the committee, if the committee approves the proposal, is not consistent with the
17 memorandum of understanding, the department of health and human services, the
18 subunit of the department of employe trust funds and the commissioner of insurance
19 shall enter into a revised memorandum of understanding that is consistent with the
20 approved proposal.

21 (8t) REPORT ON HUNTINGTON'S DISEASE.

22 (a) In this subsection, "Huntington's disease" means an inherited, degenerative
23 disease that usually begins during mid-life, is characterized by intellectual decline
24 and irregular and involuntary movement of the limbs or facial muscles and may

1 include personality change, memory disturbance, slurred speech, impaired
2 judgment and psychiatric disorders.

3 (b) By January 1, 2000, the department of health and family services shall
4 submit to the joint committee on finance a report on service provided to individuals
5 with Huntington's disease that includes information on all of the following:

6 1. In each county of the state, the number of individuals with any type of
7 disability who receive services under any of the following:

8 a. The long-term support community options program under section 46.27 (7)
9 of the statutes.

10 b. The long-term support community options program under section 46.27 (11)
11 of the statutes.

12 c. The community integration program under section 46.277 of the statutes.

13 d. County revenues.

14 2. In each county of the state, the number and percentage of individuals with
15 Huntington's disease who receive services under the programs or source specified in
16 subdivision 1. a. to d.

17 3. The type of services that individuals with any type of disability, including
18 Huntington's disease, receive under the programs or source specified in subdivision
19 1. a. to d.

20 (9k) GRANT TO COMMUNITY HEALTH CENTER.

21 (a) Subject to paragraph (b), the department of health and family services shall
22 award \$1,000,000 in fiscal year 1999–2000 as a grant to a community health center
23 that is located in a 1st class city and that emphasizes the health care needs of
24 minority group members, as defined in section 146.185 (1) (f) of the statutes, as
25 created by this act, high-risk pregnant women, infants, children and the elderly.

1 (b) The department of health and family services may not award the grant
2 under paragraph (a) unless the department submits to the cochairpersons of the joint
3 committee on finance a report that details the amount of the proposed grant and the
4 services to be provided under the grant by the community health center. If the
5 cochairpersons of the committee do not notify the secretary of health and family
6 services within 14 working days after receiving the report that the committee has
7 scheduled a meeting for the purpose of reviewing the report, the department of
8 health and family services shall award the grant under paragraph (a). If, within 14
9 working days after receiving the report, the cochairpersons notify the secretary of
10 health and family services that the committee has scheduled a meeting for the
11 purpose of reviewing the report, the department of health and family services may
12 award the grant under paragraph (a) only if, and to the extent that, it is approved
13 by the committee.

14 (9m) FACILITY PAYMENTS; WAGE OR SALARY AND FRINGE BENEFITS SUPPLEMENTS.

15 (a) In addition to any facility payment rate increases for state fiscal years
16 1999–2000 and 2000–01, in order to permit a facility, as defined in section 49.45 (6m)
17 (a) 3. of the statutes, to increase, beginning July 1, 1999, wages or salaries and fringe
18 benefits for or increase staff hours of nurse’s assistants, as determined by the
19 department of health and family services, from the appropriations under section
20 20.435 (4) (b) and (o) of the statutes the department shall, beginning October 1, 1999,
21 supplement facility payment rates under section 49.45 (6m) (av) of the statutes by
22 an amount not to exceed \$8,309,000 in state fiscal year 1999–2000 and \$11,078,600
23 in state fiscal year 2000–01, or by 5% of the total amount of wages reported in the
24 1998 cost reports of facilities, whichever is less. The department shall calculate each
25 facility’s maximum payment per patient day under this paragraph by multiplying

1 by 5% the amount obtained by dividing the total of nurse's assistants' wages or
2 salaries of the facility by the total number of patient days of the facility, as indicated
3 by the facility's 1998 cost reports. Each facility may apply to the department for up
4 to the total maximum amount per patient day calculated for the facility and receive
5 that supplemental amount for each medical assistance day of service provided.

6 (am) In order to ensure that a supplement provided to a facility under
7 paragraph (a) was expended in accordance with the purpose specified in paragraph
8 (a), the department of health and family services shall prepare a supplemental
9 application form for completion by facilities in applying for the supplement, to
10 determine whether the facility's nurse's assistants' wage or salary and fringe
11 benefits costs per patient day have increased during the period after June 30, 1999,
12 and before July 1, 2000, by a percentage that is at least equal to the percentage of
13 increase under the supplement under paragraph (a). The department shall adjust
14 the required percentage increase to account for all of the following:

15 1. Any payment rate increase or decrease applicable to the facility that is in
16 effect beginning July 1, 1999, and is other than the supplement under paragraph (a).

17 2. The fact that the wage supplement percentage increase is based only on
18 wages and salaries, while the cost comparison also includes fringe benefits.

19 3. Any decrease or increase in the facility's expenditures for contracted labor
20 services.

21 4. Any change in the facility's patient acuity levels.

22 5. Whether or not the facility's reporting period corresponds to the supplement
23 payment period.

24 6. Any other factor that the department determines is relevant and that is
25 readily available in the data base of the department.

1 (b) In addition to any facility payment rate increases for state fiscal years
2 1999–2000 and 2000–01, in order to permit a facility, as defined in section 49.45 (6m)
3 (a) 3. of the statutes, to increase, beginning July 1, 1999, wages or salaries and fringe
4 benefits for or increase staff hours of housekeeping and laundry workers, dietitians
5 and food workers, as determined by the department of health and family services,
6 from the appropriations under section 20.435 (4) (b) and (o) of the statutes the
7 department shall, beginning October 1, 1999, supplement facility payment rates
8 under section 49.45 (6m) (av) of the statutes by an amount not to exceed \$3,562,300
9 in state fiscal year 1999–2000 and \$4,749,800 in state fiscal year 2000–01, or by
10 multiplying the total amount of the wages reported in the 1998 cost reports of
11 facilities by the percentage obtained under paragraph (bg), whichever is less. The
12 department shall calculate each facility’s maximum payment per patient day under
13 this paragraph by multiplying by the percentage obtained under paragraph (bg) the
14 amount obtained by dividing the total of the facility’s housekeeping and laundry
15 workers’, dietitians’ and food workers’ wages or salaries by the total number of
16 patient days of the facility, as indicated by the facility’s 1998 cost reports. Each
17 facility may apply to the department for up to the total maximum amount per patient
18 day calculated for the facility and receive that supplemental amount for each medical
19 assistance day of service provided.

20 (bg) The department of health and family services shall determine what
21 percentage of the total amount of facilities’ wages for housekeeping and laundry
22 workers, dietitians and food workers reported in the 1998 cost reports of facilities
23 will, in the best estimation of the department, most nearly equal the specified
24 amounts of moneys under paragraph (b).

1 (bm) In order to ensure that a supplement provided to a facility under
2 paragraph (b) was expended in accordance with the purpose specified in paragraph
3 (b), the department of health and family services shall prepare a supplemental
4 application form for completion by facilities in applying for the supplement, to
5 determine whether the facility's housekeeping and laundry workers', dietitians' and
6 food workers', wage or salary and fringe benefits costs per patient day have increased
7 during the period after June 30, 1999, and before July 1, 2000, by a percentage that
8 is at least equal to the percentage of increase obtained under paragraph (bg). The
9 department shall adjust the required percentage increase to account for all of the
10 following:

11 1. Any payment rate increase or decrease applicable to the facility that is in
12 effect beginning July 1, 1999, and is other than the supplement under paragraph (b).

13 2. The fact that the wage supplement percentage increase is based only on
14 wages and salaries, while the cost comparison also includes fringe benefits.

15 3. Any decrease or increase in the facility's expenditures for contracted labor
16 services.

17 4. Any change in the facility's patient acuity levels.

18 5. Whether or not the facility's reporting period corresponds to the supplement
19 payment period.

20 6. Any other factor that the department determines is relevant and that is
21 readily available in the data base of the department.

22 (c) If the department of health and family services determines that a
23 supplement under paragraph (a) provided to a facility was not expended as required
24 under paragraph (am) or that a supplement under paragraph (b) provided to a

1 facility was not expended as required under paragraph (bm), the department may
2 recoup that part of the supplement that was not expended as required.

3 (9n) LIMITATION ON REDUCTION OF REIMBURSEMENT FOR PHARMACEUTICAL DRUGS.

4 During the 1999–2001 fiscal biennium, the department of health and family services
5 may not discount the average wholesale price of pharmaceutical drugs provided
6 under section 49.45 of the statutes to medical assistance recipients by more than 10%
7 if the department reimburses for those pharmaceuticals under a formula that takes
8 into account the average wholesale price, and the department may not reduce
9 pharmacy dispensing fees.

10 (9q) DENTAL OUTREACH AND EDUCATION. The department of health and family

11 services shall develop a dental outreach and education plan for dentists and medical
12 assistance recipients to educate recipients on the importance of oral health for
13 children and the parent's role in achieving it, how to access dental services,
14 expectations and appropriate behavior in a dental office and the importance of
15 keeping scheduled appointments. The department of health and family services
16 shall develop the plan in consultation with the department of public instruction, the
17 department of workforce development, the Wisconsin dental association, state
18 dental and dental hygiene schools, community health care providers, medical
19 assistance recipients and health care advocates. Not later than January 1, 2000, the
20 department of health and family services shall submit the plan to the governor and
21 to the appropriate standing committees of the legislature in the manner provided
22 under section 13.172 (3) of the statutes. The department of health and family
23 services shall include with the plan a fiscal estimate for implementing the plan on
24 a statewide basis, identifying those components of the plan that would be eligible for

1 funding under federal temporary assistance for needy families block grant funding
2 or federal medical assistance administrative matching funds.

3 (10e) KINSHIP CARE SUPPLEMENT. From the appropriation under section 20.435
4 (3) (kc) of the statutes, the department of health and family services shall allocate
5 \$500,000 in fiscal year 1999–2000 to supplement the allocations to counties and, in
6 a county having a population of 500,000 or more, that department under section
7 48.57 (3m) (am) (intro.) and (3n) (am) (intro.) of the statutes, as affected by this act,
8 in order to prevent the need to place a kinship care relative, as defined in section
9 48.57 (3m) (a) of the statutes, or a long-term kinship care relative, as defined in
10 section 48.57 (3n) (a) of the statutes, who is eligible for the receipt of payments under
11 section 48.57 (3m) (am) (intro.) or (3n) (am) (intro.) of the statutes, as affected by this
12 act, on a waiting list for those payments if payments under section 48.57 (3m) (am)
13 (intro.) or (3n) (am) (intro.) of the statutes, as affected by this act, by a county or, in
14 a county having a population of 500,000 or more, by that department exceed the
15 amount allocated to that county or that department. If payments under section 48.57
16 (3m) (am) (intro.) or (3n) (am) (intro.) of the statutes, as affected by this act, by a
17 county or, in a county having a population of 500,000 or more, by the department of
18 health and family services exceed the amount allocated to that county or that
19 department, the county or department may request supplemental funding under
20 this subsection. If the department of health and family services determines that
21 supplemental funding is necessary to eliminate a waiting list for payments under
22 section 48.57 (3m) (am) (intro.) or (3n) (am) (intro.) of the statutes, as affected by this
23 act, in a county, the department shall supplement the amount allocated to the
24 requesting county or department. Notwithstanding sections 20.001 (3) (c) and
25 20.435 (3) (kc) of the statutes, the department of health and family services may

1 carry forward to fiscal year 2000–01 the unencumbered balance of the amount
2 allocated under this subsection on June 30, 2000. If the entire amount allocated
3 under this subsection is encumbered before July 1, 2001, the department of health
4 and family services shall request a supplemental appropriation under section 16.515
5 of the statutes. This subsection does not preclude the department of health and
6 family services from reallocating moneys allocated to a county or, in a county having
7 a population of 500,000 or more, that department under section 48.57 (3m) (am)
8 (intro.) or (3n) (am) (intro.) of the statutes, as affected by this act, in order to address
9 a waiting list in another county.

10 (11t) KINSHIP CARE ADMINISTRATION. The authorized FTE positions for the
11 department of health and family services are increased by 1.0 PR position on
12 October 1, 1999, or on the effective date of this subsection, whichever is later, to be
13 funded from the appropriation under section 20.435 (3) (kx) of the statutes, for the
14 purpose of providing increased oversight of the kinship care program under section
15 48.57 (3m) to (3t) of the statutes, as affected by this act. The 1.0 FTE PR position shall
16 provide program oversight and monitoring, serve as a liaison to the department of
17 workforce development and the bureau of Milwaukee child welfare services in the
18 department of health and family services and develop policies and procedures
19 relating to the kinship care program.

20 (12g) INITIAL APPOINTMENTS OF INDEPENDENT REVIEW BOARD. Notwithstanding
21 the length of terms specified in section 15.195 (9) (intro.) of the statutes, as created
22 by this act, the initial members of the independent review board shall be appointed
23 by the first day of the 4th month beginning after the effective date of this subsection
24 for the following terms:

25 (a) The purchaser of health care, for a term expiring on May 1, 2001.

1 (b) The medical ethicist and the privacy expert, for terms expiring on
2 May 1, 2003.

3 (c) The statistician or researcher, for a term expiring on May 1, 2005.

4 (12m) GRANT FOR ST. CLARE HEALTH MISSION. The department of health and
5 family services shall award a grant of \$50,000 in fiscal year 1999–2000 from the
6 amount appropriated under section 20.435 (4) (gp) of the statutes, as affected by this
7 act, to Franciscan Skemp Health Care, Inc., for health care and disease management
8 services provided by the St. Clare Health Mission.

9 (13c) MANAGED CARE PILOT PROGRAM FOR CHILDREN IN OUT-OF-HOME CARE IN
10 MILWAUKEE COUNTY. The department of health and family services shall develop a
11 pilot program that integrates the social, behavioral and physical health needs of
12 children placed in out-of-home care in Milwaukee County who are medical
13 assistance recipients under a managed care system. By January 1, 2001, the
14 department of health and family services shall request from the secretary of the
15 federal department of health and human services any waivers of the federal medical
16 assistance statutes and regulations that are necessary to implement the pilot
17 program developed under this subsection as part of the medical assistance program.
18 If all necessary waivers are granted and in effect, the department shall implement
19 the pilot program developed under this subsection in Milwaukee County. Under that
20 pilot program, the department of health and family services may require, consistent
21 with section 49.45 (9) of the statutes, a child who is placed in out-of-home care in
22 Milwaukee County to be enrolled in a managed care plan as a condition of receiving
23 medical assistance. Of the amounts appropriated to the department of health and
24 family services under section 20.435 (4) (n) of the statutes, as created by this act, that
25 department shall expend \$22,600 in fiscal year 1999–2000 and \$25,600 in fiscal year

1 2000–01 to increase the authorized FTE positions for that department by 0.5 FED
2 project position, for the period ending on June 30, 2001, for the purpose of developing
3 the pilot program under this subsection.

4 (13d) SCHOOL MEDICAL SERVICES UNDER MEDICAL ASSISTANCE.

5 (a) In state fiscal years 1999–2000 and 2000–01, the department of health and
6 family services shall, under section 49.45 (39) (b) of the statutes, reimburse a school
7 district and a cooperative educational service agency and shall reimburse the
8 department of public instruction for the Wisconsin Center for the Blind and Visually
9 Impaired and the Wisconsin School for the Deaf, for 90% of the federal share received
10 for school–based services under the medical assistance program in excess of
11 \$16,100,000. The reimbursement shall be based on the proportion of total
12 school–based services for the school year that was provided by each school district,
13 cooperative educational service agency, the Wisconsin Center for the Blind and
14 Visually Impaired and the Wisconsin School for the Deaf.

15 (b) The department of health and family services shall submit, as part of its
16 2001–03 biennial budget request, a proposal to the department of administration for
17 fiscal years after state fiscal year 2000–01, to increase the percentage of the federal
18 share received for school–based services under the medical assistance program by
19 which reimbursement is made under section 49.45 (39) (b) of the statutes to reflect
20 the total percentage of the federal share for which school districts, cooperative
21 educational service agencies and the department of public instruction on behalf of
22 the Wisconsin Center for the Blind and Visually Impaired and the Wisconsin School
23 for the Deaf were reimbursed in state fiscal year 1999–2000.

24 (13e) ADMINISTRATION OF THE STATE SUPPLEMENT TO SUPPLEMENTAL SECURITY
25 INCOME. Not later than March 1, 2000, the department of health and family services

1 shall submit a request to the joint committee on finance under section 13.10 of the
2 statutes to transfer \$232,400 not later than June 30, 2000, and \$232,400 not later
3 than June 30, 2001, from any appropriation for the department, other than a sum
4 sufficient appropriation, to the appropriation account under section 20.435 (6) (ee)
5 of the statutes for the purpose for which the appropriation is made.

6 (14e) PRIMARY HEALTH CARE. In state fiscal year 1999–2000, in addition to the
7 moneys appropriated for expenditure for that fiscal year, the department of health
8 and family services shall expend for the purchase of primary health care services
9 under section 146.93 of the statutes, as affected by this act, \$300,000 of the
10 unencumbered balance as of June 30, 1999, in the appropriation under section
11 20.435 (4) (gp) of the statutes, as affected by this act.

12 (14g) COMMUNITY MARRIAGE POLICY PROJECT. The authorized FTE positions for
13 the department of health and family services are increased by 1.0 PR project position,
14 to be funded from the appropriation under section 20.435 (3) (kx) of the statutes for
15 the period beginning on the first day of the 2nd month beginning after the effective
16 date of this subsection, and ending on September 30, 2003. The positions are
17 increased under this subsection for the purpose of coordinating the development of,
18 and assisting local members of the clergy to develop, community–wide standards for
19 marriages solemnized in this state by members of the clergy.

20 **SECTION 9124. Nonstatutory provisions; historical society.**

21 (1x) GRANT TO PORTAGE COUNTY HISTORICAL SOCIETY. In the 1999–2001 fiscal
22 biennium, the historical society shall award a grant to the Portage County historical
23 society for continuation of the Plover Heritage Park restoration project. The amount
24 of the grant shall be equal to the amount of local contributions toward the project,

1 not to exceed \$50,000. The historical society shall award the grant from the
2 appropriation under section 20.245 (3) (b) of the statutes, as created by this act.

3 **SECTION 9125. Nonstatutory provisions; Housing and Economic**
4 **Development Authority.**

5 (1) TRANSFER TO WISCONSIN DEVELOPMENT RESERVE FUND. In fiscal year
6 1999–2000, the Wisconsin Housing and Economic Development Authority shall
7 transfer from the housing rehabilitation loan program administration fund to the
8 Wisconsin development reserve fund the lesser of \$5,845,215 or the amount needed
9 to cover the guaranteed default amount of the loan to the Taliesin Preservation
10 Commission.

11 **SECTION 9126. Nonstatutory provisions; insurance.**

12 (4g) RULES ON POINT-OF-SERVICE OPTION PLANS. The commissioner of insurance
13 shall submit in proposed form the rules required under section 609.10 (6) of the
14 statutes, as created by this act, to the legislative council staff under section 227.15
15 (1) of the statutes no later than the first day of the 12th month beginning after the
16 effective date of this subsection.

17 **SECTION 9127. Nonstatutory provisions; investment board.**

18 (1g) BONUS COMPENSATION PAID TO CERTAIN EMPLOYEES OF THE INVESTMENT BOARD.
19 Any employe of the investment board who was awarded a bonus before the effective
20 date of this subsection under section 25.156 (6), 1997 stats., pursuant to a plan of
21 bonus compensation adopted by the investment board, shall be entitled to receive
22 any unpaid part of the bonus as provided under the terms of the plan of bonus
23 compensation, provided that the employe satisfies all conditions specified in section
24 25.156 (6) and (7), 1997 stats.

1 (2g) OPERATING EXPENDITURES FOR INVESTMENT BOARD DURING THE 1999-2000 FISCAL
2 YEAR.

3 (a) In this subsection, “operating expenditures” include all costs and expenses
4 incurred by the investment board for the purpose of operating the board and
5 managing the assets of each fund for which the board has management
6 responsibility, but does not include costs or expenses incurred under section 25.18
7 (1) (a), (c), (f) or (m) or (2) (d) or (e) or 40.04 (3) (intro.) of the statutes.

8 (b) Notwithstanding section 25.187 of the statutes, as created by this act, no
9 later than the first day of the 2nd month that occurs after the effective date of this
10 paragraph, the investment board shall estimate the amounts required for its
11 operating expenditures for the 1999–2000 fiscal year and shall assess each fund for
12 which the board has management responsibility for its share of the estimated
13 operating expenditures in an equitable manner. The board shall pay the assessment
14 from the current income of each fund, unless an appropriation is made for payment
15 of the assessment, in which case the assessment shall be paid from that
16 appropriation account. The total amount that the board may assess the funds for
17 which the board has management responsibility for the 1999–2000 fiscal year may
18 not exceed \$14,498,600. For the purposes of this paragraph, the board shall
19 determine the total market value of the assets of the funds according to the
20 methodology used to determine the market value of the fixed retirement investment
21 trust under section 25.17 (14) of the statutes.

22 (c) The investment board shall transmit a notice of each assessment to each
23 fund at the time that the assessment is made, and shall transmit a statement of the
24 board’s actual expenditures for management of each fund at the close of the
25 1999–2000 fiscal year both to the state agency having primary responsibility for

1 expenditure of principal or earnings of the fund and to the department of
2 administration or, if there is no state agency, only to the department of
3 administration.

4 **SECTION 9130. Nonstatutory provisions; justice.**

5 (1t) LAW ENFORCEMENT TRAINING FOR TOMORROW PROGRAM. Of the moneys
6 appropriated to the department of justice under section 20.455 (2) (ja) of the statutes,
7 \$388,100 for fiscal year 1999–2000 and \$345,100 in fiscal year 2000–01 is allocated
8 to implement the Training for Tomorrow program for revising and expanding law
9 enforcement training and may not be encumbered or expended unless the
10 department of justice first submits to the cochairpersons of the joint committee on
11 finance a written plan for the use of the allocated funds. If the cochairpersons of the
12 committee do not notify the department within 14 working days after the date of
13 submittal of the plan that the committee has scheduled a meeting for the purpose of
14 reviewing the plan, the plan may be implemented as proposed by the department.
15 If, within 14 working days after the date of submittal, the cochairpersons of the
16 committee notify the department that the committee has scheduled a meeting for the
17 purpose of reviewing the plan, the plan may be implemented only upon approval of
18 the committee.

19 (2e) GAMING LAW ENFORCEMENT POSITION AUTHORIZATION. The authorized FTE
20 positions for the department of justice are increased by 2.75 GPR positions to be
21 funded from the appropriation under section 20.455 (2) (fm) of the statutes, as
22 created by this act, for the purpose of gaming law enforcement.

23 (2m) MEMORANDUM OF UNDERSTANDING REGARDING CERTAIN CONSUMER
24 COMPLAINTS. Not later than the first day of the 13th month after the effective date
25 of this subsection, the department of justice shall enter into a memorandum of

1 understanding with the department of agriculture, trade and consumer protection
2 and the public service commission for the purpose of coordinating each party's efforts
3 to respond to and address consumer complaints regarding telecommunication
4 services.

5 **SECTION 9131. Nonstatutory provisions; legislature.**

6 (1g) AUDIT OF EMERGENCY RESPONSE PROGRAMS. The joint legislative audit
7 committee is requested to, and may, direct the legislative audit bureau to perform a
8 financial and performance evaluation audit of the programs in the department of
9 military affairs, division of emergency management, funded under section 20.465 (3)
10 (dd), (dh), (dp), (dr), (dt), (jt) and (t) of the statutes. If the committee directs the
11 legislative audit bureau to perform the requested audit, the bureau shall file its
12 report as described under section 13.94 (1) (b) of the statutes by January 31, 2000.

13 (1t) AUDIT OF MILWAUKEE CHILD WELFARE ADMINISTRATION. The joint legislative
14 audit committee is requested to, and may, direct the legislative audit bureau to
15 perform a performance evaluation audit of the administration of child welfare
16 services in Milwaukee County by the department of health and family services. If
17 the committee directs the legislative audit bureau to perform the audit, the audit
18 shall include an evaluation of the use of private agencies in providing those child
19 welfare services; the provision of services to children who are placed in out-of-home
20 care, including case management services and services provided to the families of
21 those children; safety services provided to children who are placed in their own
22 homes; and the use of termination of parental rights and adoption as a permanency
23 planning goal for children who are placed in out-of-home care. If the committee
24 directs the legislative audit bureau to perform the audit, the bureau shall file its
25 report as described under section 13.94 (1) (b) of the statutes by January 1, 2003.

1 (1x) ECONOMIC DEVELOPMENT AUDIT.

2 (a) The joint legislative audit committee is requested to consider requesting the
3 legislative audit bureau to perform a performance evaluation audit of the state's
4 economic development programs to determine whether the state:

5 1. Has a comprehensive economic development strategy that enables the state
6 to compete effectively with other states.

7 2. Has a comprehensive state economic development budget that accounts for
8 development-related expenditures by all relevant agencies and that plans
9 adequately for future economic development investments.

10 3. Is using both tax policies and performance-based incentives to foster and
11 improve future competition and economic growth.

12 4. Has existing incentive programs that complement and further the state's
13 overall economic development goals.

14 5. Clearly defines strategic economic development goals for the state's
15 economic development finance programs and manages and monitors the programs
16 on that basis.

17 6. Could effectively implement a performance-based economic development
18 strategy.

19 (b) If the joint legislative audit committee requests the legislative audit bureau
20 to perform an audit and the bureau performs an audit, the bureau shall file its report
21 as provided in section 13.94 (1) (b) of the statutes.

22 (2g) FINANCIAL AUDITS OF THE MEDICAL COLLEGE OF WISCONSIN AND THE
23 UNIVERSITY OF WISCONSIN CENTER FOR TOBACCO RESEARCH AND INTERVENTION.

24 (a) Beginning on July 1, 2001, the legislative audit bureau shall conduct a
25 financial audit of the Medical College of Wisconsin that examines the use of funds

1 appropriated under section 20.250 (1) (k) of the statutes, as created by this act, and
2 shall file its report as described under section 13.94 (1) (b) of the statutes by
3 June 30, 2002.

4 (b) Beginning on July 1, 2000, the legislative audit bureau shall conduct a
5 financial audit of the tobacco research and intervention center at the University of
6 Wisconsin–Madison that examines the use of funds appropriated under section
7 20.285 (1) (kr) of the statutes, as created by this act, and shall file its report as
8 described under section 13.94 (1) (b) of the statutes by June 30, 2001.

9 (2t) AUDIT OF AIR MANAGEMENT PROGRAM. The joint legislative audit committee
10 is requested to, and may, direct the legislative audit bureau to perform a performance
11 evaluation audit of the department of natural resource’s air management program,
12 including a comparison of federally required aspects of the program and aspects
13 required only by state law. If the committee directs the legislative audit bureau to
14 perform an audit, the bureau shall file its report as described in section 13.94 (1) (b)
15 of the statutes.

16 (3e) RADIO BODY ALARM SYSTEM FOR MENDOTA MENTAL HEALTH INSTITUTE.

17 (a) In this subsection:

18 1. “Hertz” means a unit of frequency equal to one cycle per second.

19 2. “Megahertz” means a unit of frequency equal to 1,000,000 hertz.

20 (b) During state fiscal biennium 1999–2001, from the appropriation under
21 section 20.865 (4) (a) of the statutes, the joint committee on finance may,
22 notwithstanding section 13.101 (3) (a) (intro.), 1. and 2. of the statutes, supplement
23 the appropriation to the Mendota Mental Health Institute under section 20.435 (2)
24 (a) of the statutes, as affected by this act, by \$233,000 for the purchase or lease, as

1 recommended by the committee, of an 800 megahertz radio body alarm system for
2 use by staff members of the institute who have direct contact with patients.

3 (3m) EVALUATION OF FAMILY CARE PILOT PROJECTS. As soon as possible, the
4 legislative audit bureau shall contract with an organization other than an agency of
5 the state to evaluate the pilot projects under section 46.281 (1) (d) of the statutes, as
6 created by this act, and pilot projects under SECTION 9123 (1n) of this act as to
7 cost-effectiveness, client access to services and quality of care. The evaluation shall
8 compare the costs of care in a nursing home, as defined in section 50.01 (3) of the
9 statutes, to the costs of care in a community setting and shall provide a breakdown
10 of individual costs involved.

11 (3z) STUDY OF SPECIAL TRANSFER PROGRAM. The joint legislative council is
12 requested to conduct a study of the special transfer program under subchapter VI of
13 chapter 121 of the statutes. If the joint legislative council conducts the study, it shall
14 report its findings, conclusions and recommendations to the legislature in the
15 manner provided under section 13.172 (2) of the statutes by July 1, 2000.

16 (4c) GRADUATE MEDICAL EDUCATION STUDY. The joint legislative council is
17 requested to conduct a study to explore funding sources alternative to assessments
18 imposed on hospitals to support the training of providers that serve medical
19 assistance recipients or practice in areas of the state that have a shortage of health
20 care providers, including the feasibility of establishing a trust fund for graduate
21 medical education to provide a broadly based funding source of state, federal and
22 private funds. If the joint legislative council conducts the study, it shall report its
23 findings, conclusions and recommendations to the legislature in the manner
24 provided under section 13.172 (2) of the statutes by January 1, 2001.

25 **SECTION 9135. Nonstatutory provisions; military affairs.**

1 (1z) REQUEST FOR ADDITIONAL FUNDING FOR TUITION GRANT PROGRAM. If the
2 department of military affairs determines that the amount appropriated under
3 section 20.465 (2) (a) of the statutes for the payment of national guard tuition grants
4 is anticipated to be insufficient to fully fund the eligible tuition costs under section
5 21.49 of the statutes in fiscal year 1999–2000 or in fiscal year 2000–01, the
6 department shall, during that fiscal year, request the additional funding necessary
7 to fully fund the eligible tuition costs from the joint committee on finance.

8 (2e) BADGER CHALLENGE PROGRAM. The authorized FTE positions for the
9 department of military affairs are increased by 0.90 GPR position, to be funded from
10 the appropriation under section 20.465 (4) (b) of the statutes, and 0.10 PR position,
11 to be funded from the appropriation under section 20.465 (4) (k) of the statutes, for
12 a mentorship coordinator in the Badger Challenge program. In 2000–01 the
13 authorized FTE positions for the department of military affairs are decreased by 0.15
14 GPR position and increased by 0.15 PR position to reflect modified funding of the
15 mentorship coordinator position.

16 **SECTION 9136. Nonstatutory provisions; natural resources.**

17 (1) RULES FOR SAFETY PROGRAMS OF INSTRUCTION. The department of natural
18 resources may use the procedure under section 227.24 of the statutes to promulgate
19 rules under sections 23.33 (5) (d), 29.591 (3), 30.74 (1) (b) and 350.055 of the statutes,
20 as affected by this act. Notwithstanding section 227.24 (1) (c) and (2) of the statutes,
21 the emergency rules may remain in effect until April 1, 2000, or the date on which
22 permanent rules take effect, whichever is sooner. Notwithstanding section 227.24
23 (1) (a) and (3) of the statutes, the department is not required to provide evidence that
24 promulgating a rule under this subsection as an emergency rule is necessary for the

1 preservation of public peace, health, safety or welfare and is not required to provide
2 a finding of emergency for a rule promulgated under this subsection.

3 (2) EMERGENCY RULES FOR BROWNFIELD SITE ASSESSMENT GRANT PROGRAM. Using
4 the procedure under section 227.24 of the statutes, the department of natural
5 resources shall promulgate rules required under section 292.75 of the statutes, as
6 created by this act, for the period before permanent rules become effective, but not
7 to exceed the period authorized under section 227.24 (1) (c) and (2) of the statutes.
8 Notwithstanding section 227.24 (1) (a), (2) (b) and (3) of the statutes, the department
9 is not required to provide evidence that promulgating a rule under this subsection
10 as an emergency rule is necessary for the preservation of the public peace, health,
11 safety or welfare and is not required to provide a finding of emergency for a rule
12 promulgated under this subsection.

13 (2e) STUDY OF LANDFILL REMEDIATION. The department of natural resources shall
14 enter into a contract for a study of the landfill cleanup issue in this state. The study
15 shall identify all closed landfills and estimate the cost of remedial action at all of
16 those landfills. The department of natural resources shall also identify potential
17 mechanisms for funding that remedial action, including mechanisms used
18 successfully in other states. The department shall report the results of the study to
19 the legislature in the manner provided under section 13.172 (2) of the statutes no
20 later than January 1, 2001.

21 (2g) COMPUTER UPGRADES EXCLUDED FROM BASE. Notwithstanding section 16.42
22 (1) (e) of the statutes, in submitting information under section 16.42 of the statutes
23 for purposes of the 2001–03 biennial budget bill, the department of natural resources
24 shall submit a dollar amount for the appropriation under section 20.370 (2) (hq) of
25 the statutes that is \$325,000 less than the total amount appropriated under section

1 20.370 (2) (hq) of the statutes for the 2001–01 fiscal year, before submitting any
2 information relating to any increase or decrease in the dollar amount for that
3 appropriation for the 2001–03 fiscal biennium.

4 (3) RULES CONCERNING NATURAL ATTENUATION OF GROUNDWATER CONTAMINATION.

5 Using the procedure under section 227.24 of the statutes, the department of natural
6 resources shall promulgate the rules required under section 292.15 (2) (ae) of the
7 statutes, as created by this act, for the period before the effective date of the
8 permanent rules under that provision, but not to exceed the period authorized under
9 section 227.24 (1) (c) and (2) of the statutes. Notwithstanding section 227.24 (1) (a),
10 (2) (b) and (3) of the statutes, the department is not required to provide evidence that
11 promulgating rules under this subsection is necessary for the preservation of the
12 public peace, health, safety or welfare and is not required to provide a finding of
13 emergency for rules promulgated under this subsection.

14 (3d) FUNDING AND POSITIONS FOR AIR POLLUTION CONTROL CONSTRUCTION PERMIT
15 PROGRAM. If a rule modifying the fees under section 285.69 (1) (a) of the statutes for
16 reviewing and acting upon air pollution control construction permits takes effect
17 during the 1999–2001 fiscal biennium, the department of natural resources shall do
18 all of the following:

19 (a) Request the governor under section 16.505 of the statutes to increase the
20 authorized level of full-time equivalent positions funded from the appropriation
21 account under section 20.370 (2) (ci) of the statutes for reviewing and acting upon air
22 pollution control construction permits.

23 (b) Request the secretary of administration under section 16.515 of the statutes
24 to supplement the appropriation under section 20.370 (2) (ci) of the statutes for the

1 purpose of increasing funding for reviewing and acting upon air pollution control
2 construction permits.

3 (3x) WASTEWATER DISCHARGE FEES.

4 (a) *Report.* The department of natural resources shall prepare a report on
5 wastewater discharge fees under section 299.15 (3) (am) of the statutes. The
6 department shall include any recommendation for statutory changes needed to
7 implement section 299.15 (3) (e) of the statutes, as created by this act. The
8 department shall submit its report to the appropriate standing committees of the
9 legislature in the manner provided under section 13.172 (3) of the statutes and to the
10 joint committee on finance no later than May 1, 2000.

11 (b) *Rules.* The department of natural resources shall submit in proposed form
12 the rules required under section 299.15 (3) (e) of the statutes, as created by this act,
13 to the legislative council staff under section 227.15 (1) of the statutes no later than
14 May 1, 2000, and shall promulgate the rules no later than January 1, 2001, unless
15 action by the legislature under chapter 227 of the statutes prevents the department
16 from meeting this deadline.

17 (3yt) RULES RELATED TO PETROLEUM STORAGE REMEDIAL ACTION PROGRAM. The
18 department of natural resources shall submit in proposed form any changes in its
19 rules necessary to conform to the rules under section 101.143 (2) (h), (i) and (j) of the
20 statutes, as created by this act, to the legislature under section 227.19 of the statutes
21 no later than June 1, 2000.

22 (4) DRINKING WATER STUDY. During the 1999–2001 fiscal biennium, the
23 department of natural resources shall provide a grant from the appropriation under
24 section 20.370 (6) (ck) of the statutes, as created by this act, to the town of Swiss,
25 Burnett County, and the St. Croix band of Chippewa for a study to determine the best

1 technological approaches to addressing water quality problems threatening
2 drinking water and overall water quality problems of the St. Croix, Namekagon and
3 Yellow rivers and for engineering design and feasibility activities related to
4 construction of wastewater and drinking water treatment facilities. The town and
5 the band shall submit a report describing the findings of the study to the department
6 of natural resources and the department of administration no later than
7 January 1, 2001.

8 (4x) LAND RECYCLING LOAN FOR THE CITY OF KENOSHA.

9 (a) Except as provided in paragraph (b), the department of natural resources
10 and the department of administration shall provide a loan bearing no interest under
11 section 281.60 of the statutes to the city of Kenosha in the amount of \$3,000,000.
12 Section 281.60 (2r) to (11) of the statutes, as affected by this act, does not apply to the
13 loan under this paragraph. The department of natural resources, the department
14 of administration and the city of Kenosha shall enter into a financial assistance
15 agreement that specifies the use of the loan, the terms of repayment of the loan and
16 a schedule for the dispersal of funds and for completion of the activities to be funded
17 by the loan.

18 (b) Paragraph (a) does not apply if the department of natural resources, the
19 department of administration and the city of Kenosha do not enter into the financial
20 assistance agreement before July 1, 2000.

21 (5) RADIO SERVICES.

22 (a) *Position increases.* The authorized FTE positions for the department of
23 natural resources are decreased by 7.0 SEG positions, funded from the appropriation
24 under section 20.370 (8) (mu) of the statutes, for the performance of duties primarily
25 related to radio services.

1 (b) *Employe transfers.* There are transferred from the department of natural
2 resources to the department of transportation 7.0 FTE incumbent employes holding
3 positions in the department of natural resources performing duties primarily related
4 to radio services.

5 (c) *Employe status.* Employes transferred under paragraph (b) have all the
6 rights and the same status under subchapter V of chapter 111 and chapter 230 of the
7 statutes in the department of transportation that they enjoyed in the department of
8 natural resources immediately before the transfer. Notwithstanding section 230.28
9 (4) of the statutes, no employe so transferred who has attained permanent status in
10 class is required to serve a probationary period.

11 (d) *Payments to the department of transportation.* If the department of
12 transportation provides radio services to the department of natural resources under
13 section 85.12 of the statutes in fiscal years 1999–2000 and 2000–01, the department
14 of natural resources shall make payments to the department of transportation for
15 these services from the appropriations under section 20.370 (8) (mt) of the statutes,
16 as affected by this act, and section 20.370 (8) (mu) of the statutes on the first day of
17 each quarter of fiscal years 1999–2000 and 2000–01, except that the department of
18 natural resources shall make its first payment in fiscal year 1999–2000 on
19 July 31, 1999, or 10 days after the effective date of this paragraph, whichever occurs
20 later.

21 (6) DATABASE OF PROPERTIES ON WHICH GROUNDWATER STANDARDS ARE EXCEEDED.
22 Using the procedure under section 227.24 of the statutes, the department of natural
23 resources may promulgate a rule under section 292.57 (2) of the statutes, as created
24 by this act, for the period before the effective date of the rule promulgated under
25 section 292.57 (2) of the statutes, as created by this act, but not to exceed the period

1 authorized under section 227.24 (1) (c) and (2) of the statutes. Notwithstanding
2 section 227.24 (1) (a), (2) (b) and (3) of the statutes, the department is not required
3 to provide evidence that promulgating a rule under this subsection as an emergency
4 rule is necessary for the preservation of the public peace, health, safety or welfare
5 and is not required to provide a finding of emergency for a rule promulgated under
6 this subsection.

7 (6g) LOCAL GOVERNMENTAL UNIT NEGOTIATION AND COST RECOVERY PROCESS. No
8 later than January 1, 2001, the department of natural resources shall submit to the
9 legislature, in the manner provided under section 13.172 (2) of the statutes, proposed
10 legislation to make the process for local governmental unit negotiation and cost
11 recovery under section 292.35 of the statutes more efficient and clear. The
12 department shall propose legislation that includes provisions that do all of the
13 following:

14 (a) Provide a more efficient method of providing notice to all parties.

15 (b) Clarify the liability provisions.

16 (c) Clarify the provisions related to the identification of responsible parties.

17 (d) Provide local governmental units with a clear method of dealing with
18 information discovered late in the negotiation and cost recovery process.

19 (e) Require responsible parties to state the basis for their objection to a local
20 governmental unit's offer to settle before seeking designation of an umpire.

21 (f) Require potential umpires to be environmental experts.

22 (g) Require an umpire to submit a proposed recommendation under section
23 292.35 (6) (a) of the statutes and give the parties a period for making comments
24 before the umpire finalizes the recommendation.

1 (6h) BIBLIOGRAPHY OF GROUNDWATER INFORMATION. During the 1999–2001 fiscal
2 biennium, the department of natural resources shall create a bibliography of
3 information, on a geographic basis, that identifies all sources of general and
4 site–specific information about groundwater.

5 (7) STUDY OF LAND APPLICATION OF SEPTAGE. The department of natural resources
6 shall study this state’s program for regulating the application of septage to land. No
7 later than September 1, 2000, the department shall submit a report presenting the
8 results of the study, including relevant data, identification of problems and
9 recommendations to improve the program, to the legislature in the manner provided
10 in section 13.172 (2) of the statutes, to the governor and to the department of
11 administration.

12 (7g) RULES FOR URBAN STORM WATER LOAN PROGRAM. The department of natural
13 resources shall submit in proposed form the rules required under section 281.595
14 (12) of the statutes, as created by this act, to the legislative council staff under section
15 227.15 (1) of the statutes no later than February 1, 2000, and shall promulgate the
16 rules no later than December 31, 2000, unless action by the legislature under
17 chapter 227 of the statutes prevents the department from meeting this deadline.

18 (8tt) AIR EMISSION FEE RULES. The department of natural resources shall submit
19 in proposed form the rules required under section 285.69 (2) (a) 7. to 11. of the
20 statutes, as created by this act, to the legislative council staff under section 227.15
21 (1) of the statutes no later than July 1, 2001, and shall promulgate the rules no later
22 than March 1, 2002, unless action by the legislature under chapter 227 of the
23 statutes prevents the department from meeting this deadline.

24 (8tu) AIR EMISSION FEE STATUTORY CHANGES. Notwithstanding section 16.42 (1)
25 of the statutes, in submitting information under section 16.42 of the statutes for

1 purposes of the 2001–03 biennial budget act, the department of natural resources
2 shall include any proposed statutory changes that the department determines are
3 necessary to implement the proposed rules under section 285.69 (2) (a) 7. to 11. of the
4 statutes, as created by this act.

5 (8tv) **ADVISORY COMMITTEE FOR AIR MANAGEMENT PERFORMANCE STANDARDS.** The
6 natural resources board shall establish a committee under section 15.04 (1) (c) of the
7 statutes to advise the department of natural resources in the development of the
8 performance measurements under section 285.11 (18) of the statutes, as created by
9 this act. The board shall include on the committee industry representatives who are
10 knowledgeable about performance and productivity assessment in the area of
11 environmental management, as well as other interested persons.

12 (9) **GRANTS FOR WHEELCHAIR RECYCLING PROJECT.** From the appropriation under
13 section 20.370 (6) (br) of the statutes, as affected by this act, the department of
14 natural resources shall award the following grants to the Wheelchair Recycling
15 Project, a part of the Madison chapter of the National Spinal Cord Injury Association,
16 for the purpose of refurbishing used wheelchairs and other mobility devices and
17 returning them to use by persons who otherwise would not have access to needed or
18 appropriate equipment:

19 (a) On the first day of the first month beginning after the effective date of this
20 paragraph, \$75,000.

21 (b) On July 1, 2000, \$50,000.

22 (9c) **OCONTO COUNTY BOAT LANDING PROJECT.** From the appropriation under
23 section 20.370 (5) (cq) of the statutes, as affected by this act, the department of
24 natural resources shall provide to Oconto County funding for a boat landing and
25 breakwall in Park 2 in Oconto County. Oconto County and the department shall

1 contribute funding for the project. The department's contribution shall equal 80%
2 of the project's costs or \$727,200, whichever is less. Oconto County's contribution
3 may be in matching funds or may be in-kind contributions or both. The amount
4 expended under this subsection shall be considered an expenditure for a Great Lakes
5 project as provided in section 30.92 (4) (b) 6. of the statutes. This project need not
6 be placed on the priority list under section 30.92 (3) (a) of the statutes. This
7 subsection does not apply after June 30, 2001.

8 (9cm) MATCHING GRANTS FOR WHEELCHAIR RECYCLING PROJECT. From the
9 appropriation account under section 20.370 (6) (br) of the statutes, the department
10 of natural resources shall award the following grants to the Wheelchair Recycling
11 Project, a part of the Madison chapter of the National Spinal Cord Injury Association,
12 for the purpose of opening a facility in Milwaukee for refurbishing used wheelchairs
13 and other mobility devices and returning them to use by persons who otherwise
14 would not have access to needed or appropriate equipment:

15 (a) On June 15, 2000, \$100,000, if the project raises \$100,000 for this purpose
16 from any source by June 15, 2000.

17 (b) On June 15, 2001, \$100,000, if the project raises \$100,000 for this purpose
18 from any source by June 15, 2001, in addition to the \$100,000 required under
19 paragraph (a).

20 (9d) McDILL LAKE DREDGING PROJECT. From the appropriation under section
21 20.370 (5) (cq) of the statutes, as affected by this act, and before applying the
22 percentages under section 30.92 (4) (b) 6. of the statutes, the department of natural
23 resources shall provide to the McDill Inland Lake Protection and Rehabilitation
24 District the amount that is necessary for the dredging of McDill Lake in Portage
25 County but the amount may not exceed \$250,000. The McDill Inland Lake

1 Protection and Rehabilitation District shall contribute funding for the project equal
2 to 50% of the project's cost. The McDill Inland Lake Protection and Rehabilitation
3 District's contribution may be in matching funds or may be in-kind contributions or
4 both. Notwithstanding section 30.92 (4) (b) 7. or 8. a. of the statutes, the dredging
5 project specified under this subsection qualifies as a recreational boating project for
6 the purpose of expending moneys under this subsection. This project need not be
7 placed on the priority list under section 30.92 (3) (a) of the statutes. This subsection
8 does not apply after June 30, 2001.

9 (9f) RIVERFRONT PARKWAY DEVELOPMENT PROJECT. From the appropriation under
10 section 20.370 (5) (cq) of the statutes, as affected by this act, the department of
11 natural resources shall provide \$350,000 to the city of Janesville for a project to
12 develop the riverfront parkway that includes the development of a marina with a
13 boat launch and transient boat slips. The amount expended under this subsection
14 shall be considered an expenditure for an inland water project under section 30.92
15 (4) (b) 6. of the statutes. Notwithstanding section 30.92 (4) (b) 4., 7. or 8. of the
16 statutes, the project specified under this subsection qualifies as a recreational
17 boating project for the purpose of expending moneys under this subsection.
18 Notwithstanding section 30.92 (4) (b) 2. of the statutes, the city of Janesville need not
19 contribute any moneys to match the amount expended from the appropriation under
20 section 20.370 (5) (cq) of the statutes. This project need not be placed on the priority
21 list under section 30.92 (3) (a) of the statutes. This subsection does not apply after
22 June 30, 2001.

23 (9g) MILWAUKEE HARBOR PROJECT. From the appropriation under section 20.370
24 (5) (cq) of the statutes, as affected by this act, the department of natural resources
25 shall provide to Milwaukee County funding for a dredging project of a navigable

1 channel on Lake Michigan within Milwaukee harbor. Milwaukee County and the
2 department shall contribute funding for the project. The department shall
3 contribute funding for the project equal to 50% of the project's cost or \$212,000,
4 whichever is less. Milwaukee County's contribution may be in matching funds or
5 may be in-kind contributions or both. The amount expended under this subsection
6 shall be considered an expenditure for a Great Lakes project as provided in section
7 30.92 (4) (b) 6. of the statutes. Notwithstanding section 30.92 (4) (b) 7. or 8. of the
8 statutes, the dredging project specified under this subsection qualifies as a
9 recreational boating project for the purpose of expending moneys under this
10 subsection. The project need not be placed on the priority list under section 30.92 (3)
11 (a) of the statutes. This subsection does not apply after June 30, 2000.

12 (9s) KEMPER CENTER EROSION CONTROL STUDY. From the appropriation under
13 section 20.370 (5) (cq) of the statutes, as affected by this act, the department of
14 natural resources shall provide to Kenosha County \$50,000 for an erosion control
15 study under section 30.92 (2) of the statutes of a park owned by Kenosha County that
16 is located on the shores of Lake Michigan in the city of Kenosha and that is known
17 as Kemper Center. Notwithstanding section 30.92 (4) (b) 2. of the statutes, Kenosha
18 County need not contribute any moneys to match the amount expended from the
19 appropriation under section 20.370 (5) (cq) of the statutes, as affected by this act. The
20 Wisconsin waterways commission need not approve the study under section 30.92
21 (2) (a) of the statutes. This subsection does not apply after June 30, 2000.

22 (10d) URBAN FORESTRY GRANT FOR MILWAUKEE. From the appropriation under
23 section 20.370 (5) (bw) of the statutes, the department of natural resources shall
24 provide \$50,000 in fiscal year 1999–2000 and \$50,000 in fiscal year 2000–01 to the
25 city of Milwaukee for a tree planting demonstration project.

1 (10g) STEWARDSHIP PROGRAMS. The department of natural resources may
2 promulgate emergency rules under section 227.24 of the statutes implementing
3 sections 23.09 (20m) and 30.24 of the statutes, as created by this act. The department
4 may also promulgate emergency rules under section 227.24 of the statutes
5 implementing any provisions of section 23.0915 of the statutes, as affected by this
6 act, or section 23.0917 of the statutes, as created by this act, if the rules are necessary
7 for the department to act as authorized or required under section 23.0915 of the
8 statutes, as affected by this act, or section 23.0917 of the statutes, as created by this
9 act. Notwithstanding section 227.24 (1) (c) and (2) of the statutes, the emergency
10 rules promulgated under this subsection may remain in effect until June 30, 2001,
11 or until the date on which the permanent rules take effect, whichever is sooner.
12 Notwithstanding section 227.24 (1) (a) and (3) of the statutes, the department is not
13 required to provide evidence that promulgating a rule under this subsection as an
14 emergency rule is necessary for the preservation of public peace, health, safety or
15 welfare and is not required to provide a finding of emergency for a rule promulgated
16 under this subsection.

17 (10m) STUDY ON WILD CRANES. From the appropriation under section 20.370 (1)
18 (Lk) of the statutes, as created by this act, the department of natural resources shall
19 provide in fiscal year 1999–2000 a total of \$55,000 and in fiscal year 2000–01 a total
20 of \$60,000 to the University of Wisconsin and the International Crane Foundation
21 jointly for a study of crop damage caused in this state by cranes. The study shall be
22 completed before July 1, 2001.

23 (10v) ADMINISTRATIVE FUNDING LIMIT. The department of natural resources
24 shall, on or before April 1, 2000, under section 13.101 of the statutes, request that
25 the joint committee on finance change the authorized level of full–time equivalent

1 positions in the department, or portions of those positions, and transfer funds
2 between appropriations as a result of the expenditure limit imposed under section
3 25.29 (3m) of the statutes, as created by this act. Notwithstanding section 13.101 (3)
4 (a) of the statutes, the committee is not required to find that an emergency exists
5 before acting upon any such request.

6 (10z) SOUTHEASTERN WISCONSIN FOX RIVER COMMISSION. The department of
7 natural resources shall set aside in fiscal year 1999–2000, from the appropriation
8 under section 20.370 (5) (cq) of the statutes, as affected by this act, \$300,000 for the
9 Southeastern Wisconsin Fox River commission. The commission may use these
10 funds for its activities authorized under subchapter VI of chapter 33 of the statutes
11 and for providing matching funding for any grants that the commission may be able
12 to obtain. This subsection does not apply after June 30, 2001.

13 (11d) SCENIC DEVELOPMENT ALONG ST. CROIX. From the appropriation under
14 section 20.370 (5) (bw) of the statutes, the department of natural resources in fiscal
15 year 1999–2000 shall provide an urban forestry grant of \$10,000 to the city of Hudson
16 for scenic development along the St. Croix River adjacent to the wastewater
17 treatment plant that is located on STH 35. The scenic development is considered to
18 be a tree project for purposes of section 23.097 of the statutes. The city of Hudson
19 does not need to contribute any matching funding for this grant.

20 (11g) FORESTRY DIVISION POSITION. The authorized FTE positions for the
21 department of natural resources are increased by 1.0 SEG position, to be funded from
22 the appropriation under section 20.370 (1) (mu) of the statutes for the purpose of the
23 administration of the division of forestry in the department of natural resources.

24 (11m) USE OF TRUST FUND. The department of natural resources may not direct
25 that any funds in the trust fund established under the case of *State v. Menard, Inc.*,

1 Eau Claire County Circuit Court case number 97 CF 657, be used to provide grants
2 for municipal household hazardous waste disposal programs until the joint
3 committee on finance approves an expenditure plan for those funds. The department
4 shall ensure that any funds remaining in the trust fund on December 31, 2002, are
5 paid into the common school fund.

6 **SECTION 9139. Nonstatutory provisions; public instruction.**

7 (1d) NEWSLINE. In consultation with the Wisconsin Regional Library for the
8 Blind and Physically Handicapped in the city of Milwaukee, the department of public
9 instruction shall enter into a 2-year extension of the contract specified in 1997
10 Wisconsin Act 27, section 9140 (5m), with the National Federation of the Blind to
11 provide the Newsline electronic information service. The department of public
12 instruction shall use the moneys transferred to the appropriation account under
13 section 20.255 (1) (ke) of the statutes under SECTION 9241 (1d) of this act to pay the
14 costs incurred under this subsection.

15 (1e) DEFINITION OF STATE SCHOOL AIDS. Notwithstanding section 121.15 (3m) (a)
16 2. of the statutes, as affected by this act, the definition of state school aids under
17 section 121.15 (3m) (a) 2. of the statutes, as affected by this act, includes all of the
18 following:

19 (a) In the 1999–2000 school year, \$927,100.

20 (b) In the 2000–01 school year, \$1,695,700.

21 (1f) NATIONAL TEACHER CERTIFICATION. Notwithstanding section 115.42 (1) (b)
22 of the statutes, as created by this act, if a person who is eligible for a grant under
23 section 115.42 (1) (a) of the statutes became certified by the National Board for
24 Professional Teaching Standards before the effective date of this subsection, the

1 department of public instruction shall award the grant under section 115.42 (1) of the
2 statutes in the 1999–2000 fiscal year.

3 (2c) TRANSITION PLAN; WISCONSIN CENTER FOR THE BLIND AND VISUALLY IMPAIRED.
4 The state superintendent of public instruction shall prepare a transition plan that
5 sets forth specific funding and staffing recommendations for the operation of the
6 Wisconsin Center for the Blind and Visually Impaired and describe the appropriate
7 steps for phasing in the appropriate program modifications. The state
8 superintendent shall consult with the blind and visual impairment education council
9 in the preparation of the plan. The blind and visual impairment education council
10 shall review the plan. The state superintendent shall submit the plan to the
11 governor no later than the first day of the 7th month beginning after the effective
12 date of this subsection. The state superintendent shall also simultaneously submit
13 a copy of the plan to the legislature in the manner provided under section 13.172 (2)
14 of the statutes.

15 (2cc) BLIND AND VISUAL IMPAIRMENT EDUCATION COUNCIL. Notwithstanding the
16 length of term specified in section 15.377 (1) (c) of the statutes, as affected by this act,
17 the initial members of the blind and visual impairment education council appointed
18 under section 15.377 (1) (c) 4. and 7. of the statutes, as affected by this act, one of the
19 members appointed under section 15.377 (1) (c) 1. of the statutes, as affected by this
20 act, one of the members appointed under section 15.377 (1) (c) 2. of the statutes, as
21 affected by this act, one of the members appointed under section 15.377 (1) (c) 3. of
22 the statutes, as affected by this act, and one of the members appointed under section
23 15.377 (1) (c) 9. of the statutes, as affected by this act, shall serve for terms expiring
24 on July 1, 2000; the initial members appointed under section 15.377 (1) (c) 5. and 8.
25 of the statutes, as affected by this act, one of the members appointed under section

1 15.377 (1) (c) 1. of the statutes, as affected by this act, one of the members appointed
2 under section 15.377 (1) (c) 2. of the statutes, as affected by this act, one of the
3 members appointed under section 15.377 (1) (c) 3. of the statutes, as affected by this
4 act, and one of the members appointed under section 15.377 (1) (c) 9. of the statutes,
5 as affected by this act, shall serve for terms expiring on July 1, 2001, and the initial
6 member appointed under section 15.377 (1) (c) 6. of the statutes, as affected by this
7 act, one of the members appointed under section 15.377 (1) (c) 1. of the statutes, as
8 affected by this act, one of the members appointed under section 15.377 (1) (c) 2. of
9 the statutes, as affected by this act, one of the members appointed under section
10 15.377 (1) (c) 3. of the statutes, as affected by this act, and one of the members
11 appointed under section 15.377 (1) (c) 9. of the statutes, as affected by this act, shall
12 serve for terms expiring on July 1, 2002.

13 (2d) STATE AID FOR DEBT SERVICE. Notwithstanding section 67.05 (6a) (a) 2. and
14 (b) of the statutes, a school board shall hold a referendum before June 30, 2001, on
15 an initial resolution to raise an amount of money by a bond issue if any portion of
16 bond proceeds are to be used to fulfill a contract under section 118.43 of the statutes.
17 The copy of the resolution included in the ballot shall identify the amount of the bond
18 proceeds that will be used to fulfill the contract under section 118.43 of the statutes.

19 (2g) AGRICULTURAL EDUCATION CONSULTANT. The authorized FTE positions for
20 the department of public instruction, funded from the appropriation under section
21 20.255 (1) (q) of the statutes, are increased by 1.0 SEG position for an agricultural
22 education consultant.

23 (3d) HIGH SCHOOL GRADUATION EXAMINATION. The authorized FTE positions for
24 the department of public instruction are increased by 4.0 GPR project positions, to
25 be funded from the appropriation under section 20.255 (1) (dw) of the statutes, for

1 the purpose of developing the high school graduation examination, for the period
2 beginning on January 1, 2000, and ending on December 31, 2001.

3 (3x) RESIDENTIAL SCHOOL PLANNING GRANT.

4 (a) Notwithstanding section 118.153 (4) (b) of the statutes, the department of
5 public instruction shall withhold from the school board of the school district
6 operating under chapter 119 of the statutes \$100,000 of the amount to which the
7 school board is entitled under that section in the 1999–2000 fiscal year.

8 (b) From the appropriation under section 20.255 (2) (bc) of the statutes, as
9 affected by this act, the department of public instruction shall award a grant of
10 \$100,000 to the Foundation of Schools for Educational Evolution and Development
11 for the purpose of planning a residential school in southeastern Wisconsin.

12 **SECTION 9140. Nonstatutory provisions; public lands, board of**
13 **commissioners of.**

14 (1d) TRUST FUND LOANS. No later than December 1, 1999, the board of
15 commissioners of public lands shall submit a report to the cochairpersons of the joint
16 committee on finance detailing the accounting and administrative actions taken by
17 the board to permit the acceptance of advance payments of loans during any
18 repayment period under section 24.63 (4) of the statutes, as affected by this act.

19 **SECTION 9141. Nonstatutory provisions; public service commission.**

20 (1) TRANSFER OF EDUCATIONAL TELECOMMUNICATIONS ACCESS PROGRAM.

21 (a) In this subsection:

22 1. “Board” means the technology for educational achievement in Wisconsin
23 board.

24 2. “Commission” means the public service commission.

25 3. “Secretary” means the secretary of administration.

1 (b) During the period beginning on the effective date of this paragraph and
2 ending on the first day of the 3rd month beginning after the effective date of this
3 paragraph, the commission shall cooperate with the board in providing orderly and
4 efficient transfers under this subsection. On the first day of the 3rd month beginning
5 after the effective date of this paragraph, all of the following apply:

6 1. All rules that have been promulgated by the commission under section
7 196.218 (4r) (b), 1997 stats., and that are in effect shall become rules of the board and
8 shall remain in effect until their specified expiration dates or until amended or
9 repealed by the board. All determinations that have been made by the commission
10 under section 196.218 (4r) (g), 1997 stats., regarding documentation of contracts
11 shall become determinations of the board and shall remain in effect until modified
12 or rescinded by the board.

13 2. Any matter relating to the administration of the educational
14 telecommunications access program under section 196.218 (4r), 1997 stats., that is
15 pending with the commission is transferred to the board, and all materials submitted
16 to or actions taken by the commission with respect to the pending matter are
17 considered to have been submitted to or taken by the board.

18 3. All tangible personal property, including records, of the commission
19 pertaining to the administration of the educational telecommunications access
20 program under section 196.218 (4r), 1997 stats., as determined by the secretary, is
21 transferred to the board.

22 4. All contracts entered into by the commission in effect on the effective date
23 of this subdivision pertaining to the administration of the educational
24 telecommunications access program under section 196.218 (4r), 1997 stats., as
25 determined by the secretary, remain in effect and are transferred to the board. The

1 board shall carry out any obligations under such a contract until the contract is
2 modified or rescinded by the board to the extent allowed under the contract.

3 5. The assets and liabilities of the commission pertaining to the administration
4 of the educational telecommunications access program under section 196.218 (4r),
5 1997 stats., as determined by the secretary, shall become the assets and liabilities
6 of the board.

7 (2zt) RENEWABLE RESOURCES, ENVIRONMENTAL IMPACT AND RELIABILITY STATUS
8 RULES.

9 (a) Using the procedure under section 227.24 of the statutes, the public service
10 commission shall promulgate the rules required under sections 196.025 (2) and (3)
11 and 196.378 (3) (a) of the statutes, as created by this act, for the period before the
12 effective date of the permanent rules promulgated under that section, but not to
13 exceed the period authorized under section 227.24 (1) (c) and (2) of the statutes.
14 Notwithstanding section 227.24 (1) and (3) of the statutes, the commission is not
15 required to make a finding of emergency.

16 (b) The public service commission shall submit in proposed form the rules
17 required under sections 196.025 (2) and (3) and 196.378 (3) (a) of the statutes, as
18 created by this act, to the legislative council staff under section 227.15 (1) of the
19 statutes no later than the first day of the 6th month beginning after the effective date
20 of this paragraph.

21 (5m) MEMORANDUM OF UNDERSTANDING REGARDING CERTAIN CONSUMER
22 COMPLAINTS. Not later than the first day of the 13th month after the effective date
23 of this subsection, the public service commission shall enter into a memorandum of
24 understanding with the department of agriculture, trade and consumer protection

1 and the department of justice for the purpose of coordinating each party's efforts to
2 respond to and address consumer complaints regarding telecommunication services.

3 **SECTION 9142. Nonstatutory provisions; regulation and licensing.**

4 (1) HEARING INSTRUMENT SPECIALIST LICENSES.

5 (a) The department of regulation and licensing shall pay a renewal fee refund
6 of \$150 to a person who holds a valid audiologist license if he or she has held a valid
7 hearing instrument specialist license that was renewed on February 1, 1998, and he
8 or she surrenders the hearing instrument specialist license to the department on or
9 before the first day of the 3rd month beginning after the effective date of this
10 paragraph.

11 (b) Notwithstanding sections 440.08 (2) (a) 38. and 459.09 of the statutes, as
12 affected by this act, a person that applies to renew a hearing instrument specialist
13 license that expires on February 1, 2001, is required to pay a renewal fee of 50% of
14 the amount specified in section 440.08 (2) (a) 38. of the statutes, as affected by this
15 act.

16 (2t) INITIAL APPOINTMENTS TO THE ATHLETIC TRAINERS AFFILIATED CREDENTIALING
17 BOARD.

18 (a) Notwithstanding section 15.406 (4) of the statutes, as created by this act,
19 the initial athletic trainer members of the athletic trainers affiliated credentialing
20 board need not be licensed under subchapter VI of chapter 448 of the statutes, as
21 created by this act, to be appointed to and serve as members of the affiliated
22 credentialing board until the first day of the 13th month beginning after the effective
23 date of this paragraph.

24 (b) Notwithstanding section 15.406 (4) of the statutes, as created by this act,
25 the initial members of the athletic trainers affiliated credentialing board shall be

1 appointed by the first day of the 4th month beginning after the effective date of this
2 paragraph for the following terms:

3 1. One athletic trainer member and one member who is licensed to practice
4 medicine and surgery under subchapter II of chapter 448 of the statutes, for terms
5 expiring on July 1, 2000.

6 2. One athletic trainer member, for a term expiring on July 1, 2001.

7 3. One public member and one athletic trainer member, for terms expiring on
8 July 1, 2002.

9 4. One athletic trainer member, for a term expiring on July 1, 2003.

10 **SECTION 9143. Nonstatutory provisions; revenue.**

11 (1x) INTEGRATED TAX SYSTEM. The department of revenue shall submit a report
12 to the joint committee on finance, by January 1, 2002, that identifies any additional
13 revenue that has been generated by the implementation of the integrated tax system,
14 as created under 1997 Wisconsin Act 27, section 9143 (4z), and as affected by this act.

15 (2t) RELEASE OF CERTAIN LOTTERY RETAILER COMPENSATION APPROPRIATIONS.

16 (a) The department of revenue may not encumber or expend moneys
17 appropriated to it under section 20.566 (8) (r) of the statutes for the purpose of
18 providing additional compensation to lottery retailers under the retailer
19 performance program until the department of revenue submits a retailer
20 performance program plan based upon administrative rules proposed under section
21 565.02 (4) (g) of the statutes, as created by this act, to the joint committee on finance.

22 (b) If the cochairpersons of the committee do not notify the department of
23 revenue within 14 working days after the date of the department's submittal under
24 paragraph (a) that the committee has scheduled a meeting for the purpose of
25 reviewing the retailer performance program plan submitted under paragraph (a),

1 the secretary of administration shall direct that the moneys may be encumbered or
2 expended. If, within 14 working days after the date of the department's submittal,
3 the cochairpersons of the committee notify the department that the committee has
4 scheduled a meeting for the purpose of reviewing the proposed plan, the moneys may
5 be encumbered or expended only upon approval of the plan by the committee.

6 (3b) REAL ESTATE TRANSFER FORM.

7 (a) The department of revenue shall identify nonessential items on the real
8 estate transfer form and, based on that identification, develop a simplified real estate
9 transfer form.

10 (b) By January 1, 2000, the department of revenue shall submit the simplified
11 real estate transfer form developed under paragraph (a) to the cochairpersons of the
12 joint committee on finance. If the cochairpersons of the committee do not notify the
13 department within 14 working days after the date of the form's submittal that the
14 committee has scheduled a meeting for the purpose of reviewing the form, the form
15 may be implemented as proposed by the department. If, within 14 working days after
16 the date of the form's submittal, the cochairpersons of the committee notify the
17 department that the committee has scheduled a meeting for the purpose of reviewing
18 the proposed form, the form may be implemented only upon approval of the
19 committee.

20 (3c) ADOPTION OF FEDERAL INCOME TAX LAW CHANGES. Changes to the Internal
21 Revenue Code made by Public Laws 105–178, 105–206 and 105–277 apply to the
22 definitions of “Internal Revenue Code” in chapter 71 of the statutes, as affected by
23 this act, at the time that the changes apply for federal income tax purposes.

24 (3d) RECYCLING SURCHARGE; RULES.

1 (a) The department of revenue shall submit in proposed form rules to define
2 “gross receipts” under subchapter VII of chapter 77 of the statutes, as affected by this
3 act, to the legislative council staff under section 227.15 (1) of the statutes no later
4 than the first day of the 4th month beginning after the effective date of this
5 paragraph.

6 (b) Using the procedure under section 227.24 of the statutes, the department
7 of revenue may promulgate rules to define “gross receipts” under subchapter VII of
8 chapter 77 of the statutes, as affected by this act, for the period before the effective
9 date of the rules submitted under paragraph (a), but not to exceed the period
10 authorized under section 227.24 (1) (c) and (2) of the statutes. Notwithstanding
11 section 227.24 (1) (a), (2) (b) and (3) of the statutes, the department is not required
12 to provide evidence that promulgating a rule under this paragraph as an emergency
13 rule is necessary for the preservation of the public peace, health, safety or welfare
14 and is not required to provide a finding of emergency for a rule promulgated under
15 this paragraph.

16 (3dm) RECYCLING SURCHARGE; ADMINISTRATION. The authorized FTE positions for
17 the department of revenue are increased by 1.5 SEG positions, to be funded from the
18 appropriation under section 20.566 (1) (q) for the purpose of administering
19 subchapter VII of chapter 77 of the statutes, as affected by this act.

20 (3e) LOTTERY GENERAL PROGRAM OPERATIONS POSITION AUTHORIZATION. The
21 authorized FTE positions for the department of revenue are increased by 110.5 GPR
22 positions to be funded from the appropriation under section 20.566 (8) (a) of the
23 statutes, as created by this act, for the purpose of conducting general program
24 operations for the lottery.

1 (3f) LOTTERY AND GAMING CREDIT POSITION AUTHORIZATION. The authorized FTE
2 positions for the department of revenue are increased by 3.0 GPR positions to be
3 funded from the appropriation under section 20.566 (2) (am) of the statutes, as
4 created by this act, for the purpose of administering the lottery and gaming credit.

5 (3g) TRANSFER TO LOTTERY FUND. The legislature intends that the amounts
6 transferred from the general fund to the lottery fund under SECTION 9243 (2c) of this
7 act, be used to reimburse the lottery fund for expenditures made from
8 October 1, 1995, to June 30, 1999, from the appropriations under section 20.455 (2)
9 (r), 1995 stats., section 20.566 (2) (r), 1995 stats., section 20.566 (8) (q), (r) and (v),
10 1995 stats., section 20.835 (2) (q), 1995 stats., section 20.455 (2) (r), 1997 stats.,
11 section 20.566 (2) (r), 1997 stats., section 20.566 (8) (q), (r) and (v), 1997 stats., and
12 section 20.835 (2) (q), 1997 stats.

13 (3gm) POSITION INCREASES, BUSINESS TAX REGISTRATION SYSTEM. The authorized
14 FTE positions for the department of revenue are increased by 3.0 PR positions, to be
15 funded from the appropriation under section 20.566 (1) (gb) of the statutes, for the
16 purpose of performing duties related to the business tax registration system.

17 (3h) TRANSFERS TO LOTTERY FUND.

18 (a) There is transferred from the appropriation account under section 20.505
19 (8) (g) of the statutes to the lottery fund an amount equal to the unencumbered
20 balance in the appropriation account under section 20.505 (8) (g), 1997 stats., on
21 June 30, 1999, after the amounts were transferred under section 20.505 (8) (g) 1. and
22 1r., 1997 stats., and lapsed to the general fund under section 20.505 (8) (g) 2., 1997
23 stats., on June 30, 1999.

24 (b) There is transferred from the general fund to the lottery fund an amount
25 equal to the sum of the amounts transferred under section 20.505 (8) (g) 1. and 1r.,

1 1997 stats., and lapsed to the general fund under section 20.505 (8) (g) 2., 1997 stats.,
2 on June 30, 1999.

3 (3mv) SHARED REVENUE DISTRIBUTION.

4 (a) Notwithstanding section 79.03 of the statutes, for the year 2000, the
5 department of revenue shall calculate the shared revenue payments under section
6 79.03 (4) of the statutes, as affected by this act, based on the total shared revenue
7 distribution to municipalities of \$761,478,000 and the total shared revenue
8 distribution to counties of \$168,981,800. The department of revenue shall then
9 increase the shared revenue payments for all municipalities and counties by a
10 uniform percentage so that the total amount of shared revenue payments under
11 section 79.03 (4) of the statutes distributed to municipalities is \$776,707,600 in the
12 year 2000 and the total amount of shared revenue payments under section 79.03 (4)
13 of the statutes distributed to counties is \$172,361,400.

14 (b) For purposes of calculating the shared revenue distribution to
15 municipalities and counties in 2001, the base amount for determining the minimum
16 and maximum entitlement under section 79.03 (3c) of the statutes is the total shared
17 revenue distribution in the year 2000 as determined under paragraph (a), less the
18 utility aid payments under section 79.04 of the statutes.

19 **SECTION 9145. Nonstatutory provisions; state fair park board.**

20 (1tv) STATE FAIR PARK RACETRACK NOISE ABATEMENT PLAN. The state fair park
21 board shall submit to the joint committee on finance a plan for noise abatement at
22 the racetrack facility located in the state fair park. The plan shall be submitted
23 jointly with any lessee of the racetrack facility at the time of submittal of the plan.
24 If the committee approves the plan, the cochairpersons of the committee shall notify
25 the chairperson of the building commission in writing of the committee's approval.

1 **SECTION 9146. Nonstatutory provisions; supreme court.**

2 (1w) REPORT TO LEGISLATURE REGARDING RESERVE JUDGES. The director of state
3 courts shall, by October 1, 2000, submit a report to the governor, to the members of
4 the joint committee on finance, and to the appropriate standing committees of the
5 legislature in the manner provided under section 13.172 (3) of the statutes, regarding
6 the recruitment, retention and compensation of reserve judges.

7 (2f) STUDY AND REPORT ON METHODS OF JUDGE SELECTION.

8 (a) In this subsection, “minority group member” has the meaning given in
9 section 560.036 (1) (f) of the statutes.

10 (b) A committee composed of the chief justice of the supreme court, the chief
11 judge of the 1st judicial administrative district, 3 judges appointed by the chief
12 justice, one of whom shall be a minority group member, and 4 public members
13 appointed by the governor, 2 of whom shall be minority group members, shall study
14 judicial subdistricts and other methods of judge selection that would result in
15 increased racial and ethnic diversity of the judges in the courts. The governor shall
16 designate the chair of the committee. The chief judge of the 1st judicial
17 administrative district shall be the vice chair of the committee. No later than
18 December 31, 2000, the committee shall submit a report on its findings and
19 recommendations to the governor, the supreme court and to appropriate standing
20 committees of the senate and assembly in the manner specified in section 13.172 (3)
21 of the statutes. The director of state courts shall provide staff services to the
22 committee. Members of the committee shall be reimbursed for actual and necessary
23 expenses incurred in performing their duties as members of the committee from the
24 appropriation under section 20.680 (1) (a) of the statutes.

25 **SECTION 9147. Nonstatutory provisions; technical college system.**

1 (2ct) MILWAUKEE ENTERPRISE CENTER. In the 1999–2000 and 2000–01 fiscal
2 years, the state technical college system board shall pay the amount appropriated
3 to the board under section 20.292 (1) (ec) of the statutes, as created by this act, to the
4 Milwaukee Enterprise Center in the city of Milwaukee to renovate the center’s
5 training center and conference rooms.

6 (3w) AGRICULTURAL EDUCATION CONSULTANT. The authorized FTE positions for
7 the technical college system board to be funded from the appropriation under section
8 20.292 (1) (q) of the statutes, are increased by 0.75 SEG position for an agricultural
9 education consultant.

10 **SECTION 9148. Nonstatutory provisions; technology for educational**
11 **achievement in Wisconsin board.**

12 (1g) TELECOMMUNICATIONS ACCESS; PREEXISTING CONTRACTS. The technology for
13 educational achievement in Wisconsin board may not require, as a condition for
14 receiving a grant in the 1999–2000 fiscal year under section 44.73 (6) of the statutes,
15 as affected by this act, that a public or private school that is a member of the KSCADE
16 network applies for the rate discounts specified under 47 USC 254.

17 (1vt) PASSIVE REVIEW. Notwithstanding sections 13.101 (3) (a) and 20.865 (4) (u)
18 of the statutes, if the technology for educational achievement in Wisconsin board
19 submits a request to the joint committee on finance to supplement the appropriation
20 under section 20.275 (1) (s), (t) or (tm) of the statutes, as affected by this act, and
21 submits information related to the board’s estimated program demand and final,
22 annualized costs to the committee, and if the cochairpersons of the joint committee
23 on finance do not notify the board within 14 working days after the date of the board’s
24 request and submittal of information that the committee has scheduled a meeting
25 to review the request and information, the request is considered approved. If, within

1 14 working days after the submission of the request and information, the
2 cochairpersons of the committee notify the board that the committee has scheduled
3 a meeting to review the request, the request may be granted only upon approval of
4 the committee.

5 (1w) PROJECTIONS AND FUNDING FOR 2001–03 BIENNIAL BUDGET. Notwithstanding
6 section 16.42 (1) of the statutes, in submitting information under section 16.42 of the
7 statutes for the purposes of the 2001–03 biennial budget, the technology for
8 educational achievement in Wisconsin board shall include information concerning
9 all of the following:

10 (a) Projections concerning the ultimate size of the educational
11 telecommunications access program.

12 (b) How much of the funding required for the educational telecommunications
13 access program should be drawn from universal service fund assessments.

14 (c) Other funding sources if the recommended funding from the universal
15 service fund is less than the total projected costs for the educational
16 telecommunications access program.

17 (d) How long entities participating in the educational telecommunications
18 access program should continue to receive subsidies under the program and how best
19 to phase out the program.

20 (2g) GRANT FOR INTERNET-BASED INSTRUCTIONAL PROGRAM. By 15 days after the
21 day after publication, the technology for educational achievement in Wisconsin
22 board shall provide a grant in the amount of \$502,000 to the board of regents of the
23 University of Wisconsin System to maintain, until September 1, 2001, a Web site
24 developed by the University of Wisconsin–Milwaukee to instruct teachers of grades
25 kindergarten to 12 on the integration of technology into the classroom; to store lesson

1 plans concerning the use of technology in the classroom, arranged by grade and
2 subject matter; and to direct teachers to Web sites containing educational resources.

3 (2x) RULES RELATING TO EDUCATIONAL TECHNOLOGY TRAINING GRANTS.

4 (a) Subject to paragraph (b), the technology for educational achievement in
5 Wisconsin board shall use the procedure under section 227.24 of the statutes to
6 promulgate the rules required under section 44.72 (1) (d) of the statutes, as created
7 by this act, for a period not to exceed the period authorized under section 227.24 (1)
8 (c) and (2) of the statutes. Notwithstanding section 227.24 (1) (a), (2) (b) and (3) of
9 the statutes, the board need not provide evidence of the necessity of preserving the
10 public peace, health, safety or welfare in promulgating the rules under this
11 paragraph.

12 (b) The board shall submit the proposed rules under paragraph (a) to the
13 cochairpersons of the joint committee on information policy. If the cochairpersons of
14 the committee do not notify the board that the committee has scheduled a meeting
15 for the purpose of reviewing the proposed rules within 14 working days after the date
16 of the board's submittal, the board may proceed to promulgate the rules. If, within
17 14 working days after the date of the board's submittal, the cochairpersons of the
18 committee notify the board that the committee has scheduled a meeting for the
19 purpose of reviewing the proposed rules, the board shall not promulgate the rules
20 until the committee approves the rules.

21 (4w) GRANT TO DISTANCE LEARNING NETWORK. From the appropriation under
22 section 20.275 (1) (s) of the statutes, as affected by this act, the technology for
23 educational achievement in Wisconsin board shall award a grant of \$93,800 in the
24 1999–2000 fiscal year to the Embarrass River Valley Instructional Network Group
25 to upgrade its equipment.

1 **SECTION 9149. Nonstatutory provisions; tourism.**

2 (1to) GRANT FOR UPGRADE OF AZTALAN STATE PARK. From the appropriation under
3 section 20.380 (1) (kg) of the statutes, as created by this act, the department of
4 tourism shall make a grant of \$75,000 in fiscal year 1999–2000 to the department
5 of natural resources for the purpose of completing the upgrading of Aztalan State
6 Park, including the development of an overall public education and research
7 strategy, as well as a long–term interpretive and management plan that includes
8 establishing an interpretive visitor’s center, opening other portions of the site to the
9 public and using visual effects to enhance the experience of visitors to the park. The
10 state historical society shall work with management personnel of Aztalan State Park
11 to facilitate timely completion of the upgrade. The department of natural resources
12 shall deposit the grant proceeds in the appropriation account under section 20.370
13 (1) (mk) of the statutes.

14 (2c) GRANTS FOR FORT FOLLE AVOINE. From the appropriation under section
15 20.380 (1) (kg) of the statutes, as created by this act, the department of tourism shall
16 make a grant of \$100,000 in fiscal year 1999–2000 and a grant of \$100,000 in fiscal
17 year 2000–01 to the Burnett County Historical Society for educational
18 programming, marketing and advertising costs for Fort Folle Avoine. Within 6
19 months after spending the full amount of each grant, the Burnett County Historical
20 Society shall submit a report to the department of tourism detailing the use of the
21 grant proceeds.

22 (2rs) GRANTS FOR INTERNET REFERRAL SYSTEM.

23 (a) In this subsection, “eligible recipient” means any of the following:

- 24 1. A county.
- 25 2. A consortium.

1 (b) The department of tourism shall award 2 grants of \$25,000 each in the
2 1999–2001 biennium from the appropriation under section 20.380 (1) (c) of the
3 statutes, as created by this act, to 2 eligible recipients. A grant recipient must use
4 the grant proceeds to establish and maintain on the Internet a tourism–related
5 business referral system. In awarding the grants, the department shall consider all
6 of the following:

7 1. Whether a grant applicant has a financial need for the assistance.

8 2. Whether a grant applicant will use the services of a Wisconsin–based
9 company that establishes Internet referral systems.

10 (c) Within 6 months after spending the full amount of the grant, a grant
11 recipient shall submit to the department of tourism a report detailing how the grant
12 proceeds were used.

13 (2tw) GRANTS FOR TOURISM PROMOTION. In each of fiscal years 1999–2000 and
14 2000–01, the department of tourism shall make a grant of \$75,000 to Polk County
15 and a grant of \$75,000 to Burnett County from the appropriation under section
16 20.380 (1) (kg) of the statutes, as created by this act, for tourism promotion in
17 northwestern Wisconsin. Within 6 months after spending the full amount of each
18 grant, each county shall submit a report to the department of tourism detailing how
19 the money was used.

20 (3e) GRANT TO ST. CROIX VALLEY TOURISM ALLIANCE. From the appropriation
21 under section 20.380 (1) (kg) of the statutes, as created by this act, the department
22 of tourism shall make a grant of \$50,000 in fiscal year 1999–2000 to the St. Croix
23 Valley Tourism Alliance. Within 6 months after spending the full amount of the
24 grant, the St. Croix Valley Tourism Alliance shall submit a report to the department
25 of tourism detailing the use of the grant proceeds.

1 **SECTION 9150. Nonstatutory provisions; transportation.**

2 (1p) AGENCY REQUEST. Notwithstanding section 16.42 (1) (e) of the statutes, in
3 submitting information under section 16.42 of the statutes for purposes of the
4 2003–05 biennial budget bill, the department of transportation shall submit
5 information concerning the appropriation under section 20.395 (5) (dq) of the
6 statutes, as affected by this act, as though an annual increase of \$28,000, for the
7 purpose of purchasing strobe lighting equipment and installing that equipment in
8 state patrol vehicles, by this act, has not been made.

9 (2) RICHARD I. BONG AIR MUSEUM. Of the amounts appropriated to the
10 department of transportation under section 20.395 (2) (nx) of the statutes, the
11 department shall award a grant of \$1,000,000 in fiscal year 1999–2000 to the city of
12 Superior for the purpose of constructing the Richard I. Bong air museum in Superior,
13 except that the amount of the grant awarded under this subsection may not exceed
14 80% of the costs of constructing the air museum.

15 (2bgm) RULES FOR LOCAL ROADS IMPROVEMENT PROGRAM.

16 (a) The department of transportation shall submit in proposed form the rules
17 required under section 86.31 (2) (b) and (6) (g) and (h) of the statutes, as created by
18 this act, to the legislative council staff under section 227.15 (1) of the statutes no later
19 than the first day of the 7th month beginning after the effective date of this
20 paragraph.

21 (b) Using the procedure under section 227.24 of the statutes, the department
22 of transportation shall promulgate the rules required under section 86.31 (2) (b) and
23 (6) (g) and (h) of the statutes, as created by this act. Notwithstanding section 227.24
24 (1) (c) and (2) of the statutes, the emergency rules may remain in effect until
25 July 1, 2000, or the date on which permanent rules take effect, whichever is sooner.

1 Notwithstanding section 227.24 (1) (a), (2) (b) and (3) of the statutes, the department
2 is not required to provide evidence that promulgating rules under this paragraph is
3 necessary for the preservation of the public peace, health, safety or welfare and is not
4 required to provide a finding of emergency rules under this paragraph. The
5 department shall promulgate rules under this paragraph no later than the 45th day
6 after the effective date of this paragraph.

7 (2bm) RULES ESTABLISHING FULLY ALLOCATED COST METHODOLOGY.

8 (a) The department of transportation shall submit in proposed form the rules
9 required under section 85.20 (8) of the statutes, as created by this act, to the
10 legislative council staff under section 227.15 (1) of the statutes no later than the first
11 day of the 7th month beginning after the effective date of this paragraph.

12 (b) Using the procedure under section 227.24 of the statutes, the department
13 of transportation shall promulgate the rules required under section 85.20 (8) of the
14 statutes, as created by this act. Notwithstanding section 227.24 (1) (c) and (2) of the
15 statutes, the emergency rules may remain in effect until July 1, 2000, or the date on
16 which permanent rules take effect, whichever is sooner. Notwithstanding section
17 227.24 (1) (a), (2) (b) and (3) of the statutes, the department is not required to provide
18 evidence that promulgating rules under this paragraph is necessary for the
19 preservation of the public peace, health, safety or welfare and is not required to
20 provide a finding of emergency rules under this paragraph. The department shall
21 promulgate rules under this paragraph no later than the 45th day after the effective
22 date of this paragraph.

23 (2br) REDUCED ALLOCATION FOR DISCRETIONARY TOWN ROAD IMPROVEMENTS. The
24 department of transportation shall reduce the amounts allocated in the
25 appropriation under section 20.395 (2) (fr) of the statutes, as affected by this act, for

1 discretionary town road improvements under section 86.31 (3m) of the statutes by
2 \$75,000 annually for fiscal years 1999–2000 and 2000–01.

3 (2bt) TECHNICAL ASSISTANCE WITH PAVEMENT ASSESSMENT. From the appropriation
4 under section 20.395 (4) (aq) of the statutes, as affected by this act, the department
5 shall contract with the board of regents of the University of Wisconsin System for
6 training and technical support from the University of Wisconsin–Extension to assist
7 municipalities in assessing the physical condition of highways under their
8 jurisdiction, as required in section 86.302 (2) of the statutes, as affected by this act.

9 (2c) ENTITLEMENT TO SUPPLEMENTS FOR UNBUDGETED COMPENSATION ADJUSTMENTS.
10 Notwithstanding section 20.928 of the statutes, the department of transportation is
11 not entitled to any supplements for unbudgeted compensation adjustments under
12 section 20.928 of the statutes for the 1999–2001 fiscal biennium for any position
13 funded from the appropriation under section 20.395 (3) (bq) of the statutes, except
14 for any supplement that exceeds an adjustment increase for that position above the
15 level established for fiscal year 1998–99 of 5.8% in fiscal year 1999–2000 and 6.1%
16 in fiscal year 2000–01, as determined by the secretary of administration, and for any
17 position funded from the appropriation under section 20.395 (3) (cq) of the statutes,
18 as affected by this act, except for any supplement that exceeds an adjustment
19 increase for that position above the level established for fiscal year 1998–99 of 2.5%
20 in fiscal year 1999–2000 and 3% in fiscal year 2000–01, as determined by the
21 secretary of administration.

22 (2g) FLAMBEAU RIVER RECREATIONAL BRIDGE PROJECT. Of the amounts
23 appropriated to the department of transportation under section 20.395 (2) (nx) of the
24 statutes, the department shall allocate \$190,400 in the 1999–2001 fiscal biennium
25 to the city of Park Falls for the Flambeau River Recreational Bridge project.

1 (2h) LITTLE LAKE BUTTE DES MORTS TRESTLE TRAIL CAUSEWAY PROJECT. Of the
2 amounts appropriated to the department of transportation under section 20.395 (2)
3 (nx) of the statutes, the department shall allocate \$80,000 in the 1999–2001 fiscal
4 biennium to the city of Menasha for the Little Lake Butte des Morts Trestle Trail
5 Causeway project, except that the amount allocated under this subsection may not
6 exceed 50% of the costs of the project.

7 (2i) VILLAGE OF CLEAR LAKE BOX CULVERT. From the appropriation under section
8 20.395 (3) (cq) of the statutes, the department of transportation shall replace the
9 railroad grade crossing under USH 63 near the village of Clear Lake, Polk County,
10 with a box culvert of dimensions sufficient to accommodate the comfortable passage
11 of snowmobiles under the highway.

12 (2s) AGENCY REQUEST RELATING TO DISCRETIONARY TOWN ROAD IMPROVEMENTS.

13 (a) Notwithstanding section 16.42 (1) (e) of the statutes, in submitting
14 information under section 16.42 of the statutes for the purpose of the 2001–03
15 biennial budget bill, the department of transportation shall submit information
16 concerning the appropriation under section 20.395 (2) (fr) of the statutes as though
17 the amounts appropriated to the department under that appropriation and allocated
18 for activities under section 86.31 (3m) of the statutes, as affected by this act, for fiscal
19 year 2000–01 were \$75,000 more than the amounts in the schedule.

20 (b) Notwithstanding section 16.42 (1) (e) of the statutes, in submitting
21 information under section 16.42 of the statutes for the purpose of the 2001–03
22 biennial budget bill, the department of transportation shall submit information
23 concerning the appropriation under section 20.395 (4) (aq) of the statutes as though
24 the amounts appropriated to the department under that appropriation for fiscal year
25 2000–01 were \$75,000 less than the amounts in the schedule.

1 (3) MILWAUKEE LAKESHORE BICYCLE AND PEDESTRIAN FACILITIES GRANTS. The
2 department of transportation shall award grants from the appropriation under
3 section 20.395 (2) (ny) of the statutes, as created by this act, to the department of
4 natural resources for the purpose of constructing pedestrian and bicycle facilities
5 along Lake Michigan in the city of Milwaukee.

6 (3bm) CONTRACTING FOR DESIGN OR CONSTRUCTION OF LIGHT RAIL PROHIBITED.
7 Notwithstanding any other provision of chapter 59, 60, 61, 62 or 66 of the statutes,
8 no governing body of any city, village, town or county and no agency, corporation,
9 instrumentality or subunit of a city, village, town or county, may enter into a contract
10 for any purpose related to a light rail mass transit system if the cost of any of the
11 contracted items would be paid for by, or reimbursed with, federal funds received
12 under P.L. 102–240, section 1045, or P.L. 105–277, section 373, or any funds received
13 from the state. This subsection does not apply to any funds expended or activity
14 related to a mass transit system that is done under the memorandum of agreement
15 concerning USH 12 between Middleton and Lake Delton, Wisconsin, that was
16 executed by the governor, the secretary of transportation, the secretary of natural
17 resources, the county executive of Dane County, the administrative coordinator of
18 Sauk County, and others, and that became effective on April 22, 1999. This
19 subsection does not apply after June 30, 2001.

20 (3g) KINNICKINNIC RIVER BIKE TRAIL PROJECT. Notwithstanding section 85.245
21 (1) of the statutes, before approving any other project to receive federal funds
22 distributed under section 85.245 of the statutes, the secretary of transportation shall
23 approve the Kinnickinnic River Bike Trail project in the city of Milwaukee to receive
24 federal funds distributed under section 85.245 of the statutes if the project is

1 consistent with the requirements of 23 USC 149 and regulations promulgated under
2 23 USC 149.

3 (3m) ANNUAL OUTDOOR ADVERTISING SIGN PERMIT FEE. If the department of
4 transportation establishes an annual fee under section 84.30 (10m) of the statutes,
5 as created by this act, during the 1999–2001 fiscal biennium, the department shall
6 design the fee to collect not more than \$510,000 in fiscal year 2000–01.

7 (3v) PROPOSALS FOR TRANSPORTATION PLANNING, ACCESS AND INFRASTRUCTURE
8 IMPROVEMENTS. Notwithstanding section 16.42 (1) of the statutes, the department of
9 transportation shall work with the city of Beloit, the city of Green Bay, the city of La
10 Crosse, the city of Milwaukee and the city of Oshkosh to develop proposals for
11 transportation planning, access and infrastructure improvements for inclusion in
12 the department’s submission under section 16.42 of the statutes for the purposes of
13 the 2001–03 biennial budget act.

14 (4f) HARBOR ASSISTANCE GRANTS.

15 (a) *City of Marinette*. Notwithstanding section 85.095 of the statutes, from the
16 appropriations under sections 20.395 (2) (cq) and 20.866 (2) (uv) of the statutes, the
17 department of transportation shall, not later than June 30, 2001, award a grant of
18 \$4,000,000 to the city of Marinette for harbor improvements, including
19 reconstruction of a dock wall and dredging.

20 (b) *City of Milwaukee*. Notwithstanding section 85.095 of the statutes, from the
21 appropriations under sections 20.395 (2) (cq) and 20.866 (2) (uv) of the statutes, the
22 department of transportation shall, not later than June 30, 2001, award a grant of
23 \$800,000 to the city of Milwaukee for harbor improvements, including closing a slip
24 and filling the closed area with dredged material.

1 (5g) OFFENSES REQUIRING AN EXTENSION OF A PROBATIONARY LICENSEE'S
2 RESTRICTION PERIOD. Not later than the first day of the 4th month beginning after the
3 effective date of this subsection, the secretary of transportation shall submit in
4 proposed form rules required under section 343.085 (2m) (b) 1. a. of the statutes, as
5 created by this act, to the legislative council staff under section 227.15 (1) of the
6 statutes. The rules may not propose to extend a period of restriction under section
7 343.085 (2m) (b) of the statutes, as created by this act, for a violation of section 343.05
8 (1) or (3), 343.12 (1), 346.595 (1) or (6), 347.20, 347.28, 347.29 (1), 347.38 (1), (2) or
9 (4), 347.40, 347.42, 347.46, 347.47, 347.485 (2), 347.486 (2), 347.487 or 347.488 of the
10 statutes, nor for operating a motor vehicle with an operating privilege that is
11 suspended or revoked or with an operator's license that is expired.

12 (5xy) TRANSFER OF AUTHORITY AND RECORDS FROM THE DEPARTMENT OF
13 TRANSPORTATION TO THE DEPARTMENT OF COMMERCE. On July 1, 2000, all of the
14 following apply:

15 (a) All equipment, supplies and records of the department of transportation
16 pertaining to mobile homes that exceed the statutory size under section 348.07 (2)
17 of the statutes are transferred to the department of commerce.

18 (b) All rules pertaining to mobile homes that exceed the statutory size under
19 section 348.07 (2) of the statutes that have been promulgated by the department of
20 transportation, that are in effect on July 1, 2000, and that do not conflict with the
21 rules of the department of commerce shall become rules of the department of
22 commerce and shall remain in effect until their specified expiration dates or until
23 amended or repealed by the department of commerce. All orders pertaining to mobile
24 homes that exceed the statutory size under section 348.07 (2) of the statutes that
25 have been issued by the department of transportation, that are in effect on July 1,

1 2000, and that do not conflict with orders of the department of commerce shall
2 become orders of the department of commerce and shall remain in effect until their
3 specified expiration dates or until modified or rescinded by the department of
4 commerce.

5 (c) Any matter relating to mobile homes that exceed the statutory size under
6 section 348.07 (2) of the statutes that is pending with the department of
7 transportation on July 1, 2000, is transferred to the department of commerce, and
8 all materials submitted to or actions taken by the department of transportation with
9 respect to the pending matter are considered to have been submitted to or taken by
10 the department of commerce.

11 (d) The department of commerce may collect any amount payable under the
12 statutes before July 1, 2000, for the costs of materials, activities or services that were
13 provided by the department of transportation and that relate to mobile homes that
14 exceed the statutory size under section 348.07 (2) of the statutes.

15 (e) Any person who, on the first day of the 6th month beginning after the
16 effective date of this paragraph, has been issued a license by the department of
17 transportation to sell mobile homes that exceed the statutory size under section
18 348.07 (2) of the statutes is considered to have received that license under section
19 101.951 or 101.952 of the statutes, as created by this act, whichever is appropriate.

20 (6) RADIO SERVICES POSITIONS. The authorized FTE positions for the department
21 of transportation are increased by 7.0 SEG positions, to be funded from the
22 appropriation under section 20.395 (5) (dq) of the statutes, as affected by this act, for
23 the performance of duties primarily related to radio services.

24 (6f) MUKWONAGO BYPASS PROJECT. On or after July 1, 2001, and before
25 August 1, 2001, the department of transportation shall let for bids contracts for

1 construction on the portions of the Mukwonago bypass project, in Waukesha County,
2 consisting of the extension of Bay View Road, designated as phase 1A; improvements
3 to the I-43/STH 83 interchange, designated as phase 1B; and improvements to the
4 STH 83/CTH NN intersection, designated as phase 1C.

5 (7c) HARTFORD HERITAGE AUTO MUSEUM. Notwithstanding section 86.91 (1) of
6 the statutes, as affected by this act, the department of transportation shall erect
7 directional signs along USH 41 near the interchange with STH 60 for the Hartford
8 Heritage Auto Museum located in Hartford in Washington County. The department
9 may not charge any fee related to signs erected under this subsection.

10 (7d) AIRPORT PERIMETER FENCING. Notwithstanding section 114.34 (1) and (3)
11 of the statutes, the department of transportation shall provide a 20% match to any
12 federal funds received during the 1999–2001 fiscal biennium for the construction of
13 airport perimeter fencing.

14 (7e) MEEHAN STATION HISTORIC SITE. The secretary of transportation shall
15 allocate not more than \$14,900 in fiscal year 1999–2000 from the appropriation
16 under section 20.395 (3) (cq) of the statutes, as affected by this act, for directional
17 signs, an historical marker, land acquisition activities, landscaping and historic
18 information materials relating to the Meehan Station historic site located 6 miles
19 west of Plover in Portage County.

20 (7f) TRAFFIC CONTROL SIGNALS IN ST. CROIX FALLS. The department of
21 transportation shall install traffic control signals at the intersection of USH 8 and
22 218th Street in the city of St. Croix Falls in Polk County.

23 (7g) STATE TRUNK HIGHWAY ADDITION STUDY. The department of transportation
24 shall, under section 84.295 (2) of the statutes, study whether Tolles Road in Rock
25 County should be added to the state trunk highway system, and, by June 30, 2000,

1 submit a report presenting the results of that study to the governor, and to the
2 legislature in the manner provided under section 13.172 (2) of the statutes.

3 (7j) REPORT ON INTELLIGENT TRANSPORTATION SYSTEMS. The department of
4 transportation shall conduct a study on its proposed method of funding intelligent
5 transportation systems under section 84.014 of the statutes, as created by this act,
6 for the fiscal year 2000–01. No later than April 30, 2000, the department shall
7 prepare a written report of its findings, conclusions and recommendations and shall
8 submit the report to the chairpersons of the joint committee on finance for
9 consideration at the 2nd quarterly meeting of the committee under section 13.10 of
10 the statutes in the year 2000. The report shall include recommendations concerning
11 the transfer of funds from the appropriations under section 20.395 (3) (bq) to (bx),
12 (cv), (cx) and (iq) to (iv) of the statutes and the appropriations under section 20.395
13 (3) (cq), (eq), (ev), (ex) and (ix) of the statutes, as affected by this act, to the
14 appropriations under section 20.395 (3) (gq) to (gx) of the statutes, as created by this
15 act, for the funding of intelligent transportation systems under section 84.014 of the
16 statutes, as created by this act.

17 (8g) SIDEWALKS IN WISCONSIN RAPIDS. The department of transportation shall
18 install sidewalks along both sides of STH 54 between 32nd Street and 48th Street
19 northeast of Wisconsin Rapids in Wood County.

20 (9g) INSTALLATION OF RAILROAD CROSSING GATES.

21 (a) The department of transportation shall allocate from the appropriations
22 under section 20.395 (2) (gr) and (gx) of the statutes, as affected by this act, \$287,100
23 for the installation of railroad crossing gates at the intersection of West Clark Street
24 and the Wisconsin Central Railroad tracks and at the intersection of Water Street
25 and the Wisconsin Central Railroad tracks, both of which are located in Stevens

1 Point in Portage County. The city of Stevens Point shall pay at least 10% of the
2 installation costs.

3 (b) The department of transportation shall expend from the appropriations
4 under section 20.395 (2) (gr) and (gx) of the statutes, as affected by this act, the cost
5 of the installation of railroad crossing gates at the intersection of Swarthout Road
6 and the Canadian Pacific railroad tracks northwest of Fall River in Columbia
7 County.

8 (10c) STORM WATER REGULATION COSTS. The department of transportation shall
9 allocate the following amounts:

10 (a) From the appropriation under section 20.395 (3) (bq) to (bx) of the statutes,
11 \$750,000 in fiscal year 1999–2000 and \$850,000 in fiscal year 2000–01 for the costs
12 of complying with storm water rules promulgated under section 281.33 (3) of the
13 statutes.

14 (b) From the appropriation under section 20.395 (3) (cq) to (cx) of the statutes,
15 as affected by this act, \$4,900,000 in fiscal year 1999–2000 and \$5,400,000 in fiscal
16 year 2000–01 for the costs of complying with storm water rules promulgated under
17 section 281.33 (3) of the statutes.

18 (10d) TRAFFIC CONTROL SIGNAL IN ROCK COUNTY. The department of
19 transportation shall install traffic control signals at the intersection of USH 51 and
20 Townline Road located in Rock County and shall award the contract to install the
21 traffic controls signals no later than April 1, 2001.

22 (10e) STUDY OF POTENTIAL IMPROVEMENTS TO USH 10. The department of
23 transportation shall study potential improvements to USH 10 between Marshfield
24 and Osseo, including the addition of passing lanes or community bypasses, the
25 reconstruction of segments to eliminate hazardous curves or hills and the widening

1 of lanes and shoulders, and, by January 1, 2001, shall submit a report presenting the
2 results of that study to the governor, and to the legislature in the manner provided
3 under section 13.172 (2) of the statutes.

4 (10f) CORRIDOR STUDY FOR USH 8. The department of transportation shall
5 conduct a corridor study of USH 8 in Barron, Polk, Price and Rusk counties and
6 report the results to the county boards of those counties no later than June 30, 2001.

7 (10t) TRAFFIC SIGNAL ON STH 32 IN SOUTH MILWAUKEE. The department of
8 transportation shall install traffic signals at the intersection of STH 32 and
9 Columbia Avenue in South Milwaukee in Milwaukee County.

10 (10x) TRAFFIC CONTROL SIGNALS IN SIREN. The department of transportation shall
11 install traffic control signals at the intersection of STH 35 and STH 70 in the village
12 of Siren in Burnett County. If, during the year 2000, the department reconstructs
13 STH 35 at this intersection, the department shall complete the installation required
14 under this subsection as part of that reconstruction project.

15 (10z) CALCULATION OF BICYCLE AND PEDESTRIAN FACILITIES GRANTS.

16 (a) Notwithstanding section 85.024 (2) of the statutes, as affected by this act,
17 and sections 85.026 (2) (b), 85.243 (2) (am) and 85.245 (1m) of the statutes, as created
18 by this act, the calculation under section 85.024 (2) of the statutes, as affected by this
19 act, and sections 85.026 (2) (b), 85.243 (2) (am) and 85.245 (1m) of the statutes, as
20 created by this act, of the total amount of grants awarded and projects approved for
21 fiscal year 1999–2000 shall include any grants awarded under section 85.024, 1997
22 stats., section 85.026, 1997 stats., or section 85.243, 1997 stats., and projects
23 approved under section 85.245, 1997 stats., that are for the planning, design and
24 construction of bicycle and pedestrian facilities and that have not been paid on or
25 before the effective date of this paragraph. If the department of transportation

1 determines that a grant was awarded for a project under section 85.024, 1997 stats.,
2 section 85.026, 1997 stats., or section 85.243, 1997 stats., or a project was approved
3 under section 85.245, 1997 stats., on which construction will not be completed within
4 a reasonable time after the grant is awarded or the project is approved, the
5 department may withdraw the grant or its approval of the project and the amount
6 of the grant or cost of the project may not be counted under this paragraph.

7 (b) Notwithstanding section 85.024 (2) of the statutes, as affected by this act,
8 and sections 85.026 (2) (b), 85.243 (2) (am) and 85.245 (1m) of the statutes, as created
9 by this act, the calculation under section 85.024 (2) of the statutes, as affected by this
10 act, and sections 85.026 (2) (b), 85.243 (2) (am) and 85.245 (1m) of the statutes, as
11 created by this act, of the total amount of grants awarded and projects approved for
12 fiscal year 2000–01 shall include any grants awarded under section 85.024, 1997
13 stats., section 85.026, 1997 stats., and section 85.243, 1997 stats., and projects
14 approved under section 85.245, 1997 stats., that are for the planning, design and
15 construction of bicycle and pedestrian facilities and that have not been paid on or
16 before July 1, 2000. If the department of transportation determines that a grant was
17 awarded for a project under section 85.024, 1997 stats., section 85.026, 1997 stats.,
18 or section 85.243, 1997 stats., or a project was approved under section 85.245, 1997
19 stats., on which construction will not be completed within a reasonable time after the
20 grant is awarded or the project is approved, the department may withdraw the grant
21 or its approval of the project and the amount of the grant or cost of the project may
22 not be counted under this paragraph.

23 **SECTION 9154. Nonstatutory provisions; University of Wisconsin**
24 **System.**

25 (1d) INFORMATION TECHNOLOGY.

1 (a) The board of regents of the University of Wisconsin System shall develop
2 a plan to help ensure that students who receive information technology training from
3 the University of Wisconsin System and who are employed as student workers in the
4 information technology area at the University of Wisconsin System are retained as
5 employes in the information technology area for the duration of their enrollment.
6 The board of regents shall submit a copy of this plan to the members of the joint
7 committee on finance before November 1, 1999.

8 (b) The board of regents of the University of Wisconsin System shall submit a
9 report to the members of the joint committee on finance no later than
10 September 1, 2000, that contains all of the following information:

11 1. The number of new student information technology positions filled during
12 the 1999–2000 fiscal year at each University of Wisconsin System institution.

13 2. The range of salaries at each University of Wisconsin System institution for
14 students employed in information technology positions during the 1999–2000 fiscal
15 year.

16 3. The average salary at each University of Wisconsin System institution for
17 students employed in information technology positions during the 1999–2000 fiscal
18 year.

19 4. The number of students enrolled in the University of Wisconsin System who
20 received information technology training from an University of Wisconsin System
21 institution during the 1999–2000 fiscal year, their areas of training and the costs
22 associated with their training.

23 5. For each University of Wisconsin System institution, the turnover rates for
24 students employed in information technology positions during the 1999–2000 fiscal
25 year.

1 6. For each University of Wisconsin System institution, the average length of
2 employment in information technology positions for those students whose
3 employment included employment during the 1999–2000 fiscal year.

4 (1w) FUNDING FOR COMPENSATION INCREASES.

5 (a) The board of regents of the University of Wisconsin System may not use any
6 of the following funding relating to the Madison initiative for merit–based salary
7 increases for any person who is a member of the faculty, as defined in section 36.05
8 (8) of the statutes, or of the academic staff, as defined in section 36.05 (1) of the
9 statutes, unless the increases are made to recognize competitive factors:

10 1. Under section 20.285 (1) (a) of the statutes, \$5,500,000 appropriated in the
11 1999–2000 fiscal year.

12 2. Under section 20.285 (1) (a) of the statutes, \$9,500,000 appropriated in the
13 2000–01 fiscal year.

14 3. Under section 20.285 (1) (im) of the statutes, \$2,961,500 appropriated in the
15 1999–2000 fiscal year.

16 4. Under section 20.285 (1) (im) of the statutes, \$5,115,400 appropriated in the
17 2000–01 fiscal year.

18 (b) No later than October 1, 2000, the board of regents of the University of
19 Wisconsin System shall report to the joint committee on finance concerning the
20 amounts of any salary increases granted from funding specified under paragraph (a)
21 to recognize competitive factors, and the institutions at which they are granted, for
22 the 12–month period ending on the preceding June 30.

23 (c) No later than October 1, 2001, the board of regents of the University of
24 Wisconsin System shall report to the joint committee on finance concerning the
25 amounts of any salary increases granted from funding specified under paragraph (a)

1 to recognize competitive factors, and the institutions at which they are granted, for
2 the 12-month period ending on the preceding June 30.

3 (2m) BROWNFIELDS CASE STUDIES. The Robert M. LaFollette Institute of Public
4 Affairs and the Department of Urban and Regional Planning of the University of
5 Wisconsin–Madison are requested to conduct a study comparing the expected costs
6 and returns of redeveloping a contaminated property with the expected costs and
7 returns of developing an uncontaminated property.

8 (2t) GINSENG RESEARCH. Notwithstanding section 16.50 (1) (a) and (2) of the
9 statutes, the secretary of administration shall require submission of expenditure
10 estimates from the board of regents of the University of Wisconsin System for
11 ginseng research under section 20.285 (1) (qd) of the statutes, as created by this act,
12 and shall not approve any expenditure estimates for ginseng research in the
13 1999–2001 fiscal biennium unless the board of regents receives funds from the
14 Ginseng Board of Wisconsin equal to 20% of the amount appropriated under section
15 20.285 (1) (qd) of the statutes, as created by this act.

16 (3b) OVERSEAS PILOT PROGRAM. In the 2000–01 fiscal year, the University of
17 Wisconsin–Milwaukee shall conduct a pilot project, with an emphasis on agriculture,
18 the environment and public policy, that is designed to determine the feasibility of
19 overseas academic programming. The board of regents of the University of
20 Wisconsin System shall allocate \$400,000 from the appropriation under section
21 20.285 (1) (a) of the statutes for the pilot program. Upon completion of the pilot
22 project, the University of Wisconsin–Milwaukee shall submit a copy of a report
23 summarizing its findings to the governor, and to the legislature in the manner
24 provided under section 13.172 (2) of the statutes.

1 (3m) FUNDING OF 1999–2001 UNIVERSITY OF WISCONSIN SYSTEM FACULTY AND
2 ACADEMIC STAFF PAY ADJUSTMENTS. Notwithstanding section 16.505 (4) (b) of the
3 statutes, for employes who are eligible to receive compensation adjustments under
4 section 230.12 (3) (e) of the statutes, the board of regents of the University of
5 Wisconsin System may use moneys appropriated under section 20.285 (1) (im) of the
6 statutes to pay for the compensation adjustments approved under section 230.12 (3)
7 (e) of the statutes for the 1999–2001 fiscal biennium, but only up to an amount that
8 equals the difference between the amount that the University of Wisconsin System,
9 under section 20.928 (1) of the statutes, certifies is needed under section 20.865 (1)
10 (ci), (d), (ic) and (j) of the statutes to fully fund the compensation adjustments and
11 the amount that the secretary of administration determines is required under
12 section 20.865 (1) (ci), (d), (ic) and (j) of the statutes to pay for the compensation
13 adjustments.

14 (3t) POSITION AUTHORIZATION.

15 (a) Notwithstanding section 16.505 (1) of the statutes, during the 1999–2001
16 fiscal biennium, the board of regents of the University of Wisconsin System may
17 propose to increase its authorized FTE positions that are funded, in whole or in part,
18 with general purpose revenues by not more than 1% above the level authorized for
19 the board under section 16.505 (1) of the statutes. The board shall submit any
20 proposal under this subsection to the secretaries of administration and employment
21 relations for approval, together with its methodology for accounting for the cost of
22 funding these positions. The secretaries of administration and employment
23 relations may only approve a proposal if the incremental costs for these positions, as
24 determined by the secretaries of administration and employment relations, are not
25 to be included in any subsequent request submitted by the board under section 16.42

1 (1) of the statutes, as affected by this act. If the secretaries of administration and
2 employment relations jointly approve the proposal, the positions are authorized.

3 (b) During the 1999–2001 fiscal biennium, the board may not include in any
4 certification to the department of administration under section 20.928 (1) of the
5 statutes any sum to pay any costs of a position authorized under this subsection.

6 (c) No later than the last day of the month following completion of each calendar
7 quarter during the 1999–2001 fiscal biennium, the board shall report to the
8 secretaries of administration and employment relations concerning the number of
9 authorized positions under this subsection that have been filled by the board during
10 the preceding calendar quarter and the source of funding for each such position.

11 (3x) AQUACULTURE DEMONSTRATION FACILITY. The board of regents of the
12 University of Wisconsin System shall submit to the joint committee on finance for its
13 approval a plan for the construction and operation of the aquaculture demonstration
14 facility authorized under SECTION 9107 (1) (i) 3. of this act that includes all of the
15 following:

16 (a) A description of the physical characteristics of the facility.

17 (b) The facility's functions.

18 (c) How and by whom the facility's functions will be carried out.

19 (d) The number of persons necessary to staff the facility.

20 (e) The facility's estimated, annual operating cost.

21 (4g) TRANSFER CREDITS; REPORT. By July 1, 2000, the president of the University
22 of Wisconsin System and the director of the technical college system shall submit a
23 report to the legislature under section 13.172 (2) of the statutes on efforts made to
24 coordinate transfer of credits from the technical college system to the University of

1 Wisconsin System, including a plan to coordinate the transfer of credits for
2 additional programs, and a timetable for implementation of the plan.

3 (4t) TUITION. Notwithstanding section 36.27 (1) (a) of the statutes and section
4 36.27 (1) (am) of the statutes, as created by this act, the board of regents of the
5 University of Wisconsin System may not charge more in academic student fees for
6 resident undergraduate students in the 2000–01 academic year than it charged in
7 the 1999–2000 academic year.

8 (5g) POSITION AUTHORIZATION. The authorized FTE positions for the board of
9 regents of the University of Wisconsin System are increased by 2.0 GPR positions,
10 to be funded from the appropriation under section 20.285 (1) (ep) of the statutes, as
11 created by this act.

12 **SECTION 9155. Nonstatutory provisions; veterans affairs.**

13 (2e) STUDY AND REPORT ON HEALTH CARE AID GRANT PROGRAM. The department of
14 veterans affairs shall review the health care aid grant program and examine
15 program modifications that could restrain the expenditure growth of the program.
16 No later than December 31, 1999, the department shall submit a report presenting
17 the results of the review and examination, including any program changes that the
18 department believes should be made in the program, to the joint committee on
19 finance.

20 (3d) SUPPLEMENT FOR INCREASED ENROLLMENT. The joint committee on finance
21 shall supplement the appropriation account under section 20.285 (1) (a) of the
22 statutes by \$4,800,000 in the 2000–01 fiscal year if the board of regents of the
23 University of Wisconsin System demonstrates to the satisfaction of the joint
24 committee on finance that enrollment for the 2000–01 academic year will increase

1 by 300 students in the University of Wisconsin–Madison and an additional 700
2 students in the University of Wisconsin System.

3 (3g) STAFF PAY SURVEY IMPLEMENTATION. The department of veterans affairs, in
4 response to a staff pay survey by the department of employment relations, may
5 request the joint committee on finance to supplement, from the appropriation under
6 section 20.865 (4) (u) of the statutes, the appropriation account under section 20.485
7 (2) (u) of the statutes, to pay the increased salary and fringe benefit costs resulting
8 from that survey. If the department of veterans affairs requests supplementation of
9 the appropriation account under section 20.485 (2) (u) of the statutes, the
10 department shall submit a plan to the joint committee on finance to expend not more
11 than \$159,600 for fiscal year 1999–2000 and not more than \$164,400 for fiscal year
12 2000–01. If the cochairpersons of the committee do not notify the secretary of the
13 department within 14 working days after the date of the department’s submittal that
14 the committee intends to schedule a meeting to review the request, the appropriation
15 account shall be supplemented as provided in the request. If, within 14 working days
16 after the date of the department’s submittal, the cochairpersons of the committee
17 notify the secretary of the department that the committee intends to schedule a
18 meeting to review the request, the appropriation account shall be supplemented only
19 as approved by the committee. Notwithstanding section 13.101 (3) of the statutes,
20 the committee is not required to find that an emergency exists.

21 **SECTION 9157. Nonstatutory provisions; workforce development.**

22 (1) COMMUNITY YOUTH GRANT. Notwithstanding section 49.175 (1) (z) of the
23 statutes, as created by this act, the following organizations shall receive the
24 following grant amounts from the moneys allocated under section 49.175 (1) (z) of the
25 statutes, as created by this act, without participating in a competitive process:

1 (a) The Wisconsin chapters of the Boys and Girls Clubs of America, \$1,300,000
2 in each fiscal year of the 1999–2001 biennium.

3 (b) The Silver Spring Neighborhood Association, \$75,000 in each fiscal year of
4 the 1999–2001 biennium.

5 (c) The Safe and Sound initiative in Milwaukee, \$1,000,000 in fiscal year
6 1999–2000 and \$1,500,000 in fiscal year 2000–01.

7 (d) Wisconsin Good Samaritan Project, Inc., \$125,000 in each fiscal year of the
8 1999–2001 biennium.

9 (e) The Youth Leadership Academy, Inc., and the United Community Center,
10 \$500,000 in each fiscal year of the 1999–2001 biennium.

11 (f) The Milwaukee Passports for Youth Program, \$150,000 in each fiscal year
12 of the 1999–2001 biennium.

13 (gm) The New Concept Self–Development Center in Milwaukee, \$250,000 in
14 each fiscal year of the 1999–2001 biennium.

15 (2) GOVERNOR'S WORK–BASED LEARNING BOARD.

16 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and
17 liabilities of the department of workforce development primarily related to the
18 functions of the division of connecting education and work, as determined by the
19 secretary of administration, shall become the assets and liabilities of the governor's
20 work–based learning board.

21 (b) *Employe transfers.* On the effective date of this paragraph, all positions in
22 the department of workforce development that are primarily related to the division
23 of connecting education and work and the incumbent employes holding those
24 positions, as determined by the secretary of administration, are transferred to the
25 governor's work–based learning board.

1 (c) *Employe status.* Employes transferred under paragraph (b) have all the
2 rights and the same status under subchapter V of chapter 111 and chapter 230 of the
3 statutes in the governor’s work-based learning board that they enjoyed in the
4 division of connecting education and work in the department of workforce
5 development immediately before the transfer. Notwithstanding section 230.28 (4)
6 of the statutes, no employe so transferred who has attained permanent status in
7 class is required to serve a probationary period.

8 (d) *Tangible personal property.* On the effective date of this paragraph, all
9 tangible personal property, including records, of the department of workforce
10 development that is primarily related to the functions of the division of connecting
11 education and work, as determined by the secretary of administration, is transferred
12 to the governor’s work-based learning board.

13 (e) *Pending matters.* Any matter pending with the department of workforce
14 development on the effective date of this paragraph that is primarily related to the
15 division of connecting education and work, as determined by the secretary of
16 administration, is transferred to the governor’s work-based learning board. All
17 materials submitted to or actions taken by the department of workforce development
18 with respect to the pending matter are considered as having been submitted to or
19 taken by the governor’s work-based learning board.

20 (f) *Contracts.* All contracts entered into by the department of workforce
21 development in effect on the effective date of this paragraph that are primarily
22 related to the functions of the division of connecting education and work, as
23 determined by the secretary of administration, remain in effect and are transferred
24 to the governor’s work-based learning board. The governor’s work-based learning
25 board shall carry out any obligations under those contracts unless modified or

1 rescinded by the governor’s work-based learning board to the extent allowed under
2 the contract.

3 (g) *Rules and orders.* All rules promulgated by the department of workforce
4 development in effect on the effective date of this paragraph that are primarily
5 related to the division of connecting education and work remain in effect until their
6 specified expiration date or until amended or repealed by the governor’s work-based
7 learning board. All orders issued by the department of workforce development in
8 effect on the effective date of this paragraph that are primarily related to the division
9 of connecting education and work remain in effect until their specified expiration
10 date or until modified or rescinded by the governor’s work-based learning board.

11 (2c) TERMINOLOGY IN REQUEST FOR PROPOSALS. The department of workforce
12 development shall amend its request for proposals for administration of Wisconsin
13 works for the period beginning January 1, 2000, and ending December 31, 2001, to
14 do all of the following:

15 (a) *Definition of “entered employment transaction”.* Define the term “entered
16 employment transaction” under the job retention performance criterion.

17 (b) *Full and appropriate engagement.* Modify the “full and appropriate
18 engagement” criterion by doing all of the following:

19 1. Specifying that “full and appropriate engagement” with respect to an
20 individual who is required to participate in the food stamp employment and training
21 program means engagement in required activities for an amount of time equal to the
22 individual’s household’s monthly food stamp benefit divided by the minimum wage.

23 2. Eliminating the provision that specifies that “full and appropriate
24 engagement” with respect to participants in Wisconsin works employment positions
25 means engagement in appropriate activities for at least 30 hours per week.

1 3. Clarifying that, in 2-parent families who are participants in Wisconsin
2 works, the requirement that one parent work at least 35 hours per week and that the
3 combined work hours of both parents be at least 55 hours per week applies only with
4 respect to 2-parent families that receive federally funded child care and only if the
5 2nd parent in the family is not disabled or caring for a severely disabled child.

6 (2m) PARTIAL COMMUNITY SERVICE JOBS. Not later than the first day of the 3rd
7 month beginning after the effective date of this subsection, the department of
8 workforce development shall ensure that all Wisconsin works agencies are fully
9 equipped to implement the prorated benefits specified in section 49.148 (1) (b) 1m.
10 of the statutes, as created by this act.

11 (2nx) REORGANIZATION OF THE DIVISION OF VOCATIONAL REHABILITATION. Not later
12 than June 30, 2001, the division of vocational rehabilitation shall submit to the
13 secretary of workforce development a plan to reorganize the division. The plan shall
14 include a reduction in the number of program assistant supervisors and an increase
15 in the number of program assistants to provide support for rehabilitation counselors.
16 The plan shall also include a provision to convert, at the division's discretion and
17 based on local management and labor input, vacant program assistant supervisor
18 positions to rehabilitation counselor positions or other direct service positions in
19 areas with high caseloads.

20 (2p) ADMINISTRATION OF MEDICAL ASSISTANCE. On the effective date of this
21 subsection, those portions of any contract entered into by the department of
22 workforce development that relate to the administration of medical assistance, that
23 are in effect on the effective date of this subsection, remain in effect and are
24 transferred to the department of health and family services. The department of
25 health and family services shall carry out any contractual obligations that relate to

1 medical assistance under those contracts until the contracts expire or are modified
2 or rescinded to the extent permitted under the contracts.

3 (2tu) EMPLOYMENT AND EDUCATION PROGRAMS.

4 (a) The authorized FTE positions for the department of workforce development,
5 funded from the appropriation under section 20.445 (1) (n) of the statutes, are
6 decreased by 2.2 FED positions for the provision of the employment and education
7 programs specified in section 106.12 (2) of the statutes, as affected by this act.

8 (b) The authorized FTE positions for the department of workforce development,
9 funded from the appropriation under section 20.445 (7) (kx) of the statutes, as
10 created by this act, are increased by 2.2 PR positions for the provision of the
11 employment and education programs specified in section 106.12 (2) of the statutes,
12 as affected by this act.

13 (2xt) TRANSITION TO FEDERAL WORKFORCE INVESTMENT ACT OF 1998.

14 (a) *Council on workforce investment.*

15 1. 'Functions.' During the period beginning on the effective date of this
16 subdivision and ending on June 30, 2000, all functions of the governor's council on
17 workforce excellence under the federal Job Training Partnership Act, 29 USC 1501
18 to 1798, shall continue as the functions of the council on workforce investment
19 established under 29 USC 2821.

20 2. 'Members.' All members of the governor's council on workforce excellence
21 who are serving in that capacity on the day before the effective date of this
22 subdivision shall continue that service as members of the council on workforce
23 investment established under 29 USC 2821, unless the governor appoints members
24 to replace those members.

25 (b) *Local workforce development boards.*

1 1. ‘Functions.’ During the period beginning on the effective date of this
2 subdivision and ending on June 30, 2000, all functions of a private industry council
3 that is established under the federal Job Training Partnership Act, 29 USC 1501 to
4 1798, for a service delivery area designated under 29 USC 1511 shall continue as the
5 functions of the local workforce development board that is established under 29 USC
6 2832 for the identical local area designated under 29 USC 2831.

7 2. ‘Members.’ All members of a private industry council that is established
8 under the federal Job Training Partnership Act, 29 USC 1501 to 1798, for a service
9 delivery area designated under 29 USC 1511 who are serving in that capacity on the
10 day before the effective date of this subdivision shall continue that service as
11 members of the local workforce development board that is established under 29 USC
12 2832 for the identical local area designated under 29 USC 2831, unless the governor
13 appoints members to replace those members.

14 3. ‘Assets and liabilities.’ On the effective date of this subdivision, the assets
15 and liabilities of a private industry council that is established under the federal Job
16 Training Partnership Act, 29 USC 1501 to 1798, for a service delivery area
17 designated under 29 USC 1511 shall become the assets and liabilities of the local
18 workforce development board that is established under 29 USC 2832 for the identical
19 local area designated under 29 USC 2831.

20 4. ‘Tangible personal property.’ On the effective date of this subdivision, all
21 tangible personal property of a private industry council that is established under the
22 federal Job Training Partnership Act, 29 USC 1501 to 1798, for a service delivery
23 area designated under 29 USC 1511 is transferred to the local workforce
24 development board that is established under 29 USC 2832 for the identical local area
25 designated under 29 USC 2831.

1 5. ‘Pending matters.’ Any matter pending with a private industry council that
2 is established under the federal Job Training Partnership Act, 29 USC 1501 to 1798,
3 for a service delivery area designated under 29 USC 1511 is transferred to the local
4 workforce development board that is established under 29 USC 2832 for the identical
5 local area designated under 29 USC 2831. All materials submitted to or actions
6 taken by that private industry council with respect to a pending matter are
7 considered as having been submitted to or taken by that local workforce development
8 board.

9 6. ‘Contracts.’ All contracts entered into by a private industry council that is
10 established under the federal Job Training Partnership Act, 29 USC 1501 to 1798,
11 for a service delivery area designated under 29 USC 1511 that are in effect on the
12 effective date of this subdivision remain in effect and are transferred to the local
13 workforce development board that is established under 29 USC 2832 for the identical
14 local area designated under 29 USC 2831. That local workforce development board
15 shall carry out any obligations under such a contract unless the contract is modified
16 or rescinded by the local workforce development board to the extent allowed under
17 the contract.

18 (3e) UNIFIED PROGRAM ELIGIBILITY. The department of workforce development,
19 in coordination with the departments of health and family services and public
20 instruction, shall develop a proposal and implementation plan for a simplified and
21 unified application process for medical assistance under subchapter IV of chapter 49
22 of the statutes, badger care under section 49.665 of the statutes, the food stamp
23 program under 7 USC 2011 to 2036, the school lunch program under section 115.34
24 of the statutes and the supplemental food program for women, infants and children
25 under section 253.06 of the statutes. Not later than July 1, 2000, the departments

1 shall submit the proposal and implementation plan to the joint committee on finance.
2 If, within 14 days after receiving the proposal, the cochairpersons of the committee
3 do not notify the departments that the committee has scheduled a meeting for the
4 purpose of reviewing the proposal and implementation plan, the departments shall
5 implement the proposal in accordance with the implementation plan. If, within 14
6 days after receiving the proposal and implementation plan, the cochairpersons of the
7 committee notify the departments that a meeting has been scheduled for the purpose
8 of reviewing the proposal and implementation plan, the departments may not
9 implement the proposal except as approved by the committee.

10 (3mm) CHILD CARE AND DEVELOPMENT BLOCK GRANT FUNDS. No later than the first
11 day of the first month beginning after publication, the department of workforce
12 development shall identify all existing general purpose revenues that may be used
13 to match federal child care and development block grant funds. The department
14 shall prepare a plan to maximize federal funding for child care and shall submit the
15 plan to the secretary of the federal department of health and human services no later
16 than the first day of the 2nd month beginning after publication. No later than 60
17 days after the secretary of the federal department of health and human services
18 approves the plan, the department shall submit to the joint committee on finance a
19 plan for expanding child care.

20 (3x) DISTRIBUTION OF TECHNICAL PREPARATION FUNDING. From the appropriation
21 under section 20.445 (7) (kb) of the statutes, as affected by this act, the governor's
22 work-based learning board shall distribute \$1,646,100 in fiscal year 1999-2000 to
23 the technical preparation consortia established under section 118.34 (2) (b) of the
24 statutes. Of that amount, the governor's work-based learning board shall distribute
25 \$70,000 to each of those consortia and shall distribute \$526,100 to those consortia

1 based on the number of 10th grade students in each consortium and the number of
2 high schools located within the technical college district of each consortium.

3 (4c) WISCONSIN WORKS BENEFIT AND SERVICE DESCRIPTION. Not later than the first
4 day of the 2nd month beginning after the effective date of this subsection, the
5 department of workforce development shall develop and distribute to all Wisconsin
6 works agencies the single-page description of all of the benefits and services that a
7 Wisconsin works agency may provide to individuals seeking assistance from the
8 Wisconsin works agencies, as required under section 49.143 (2) (es) of the statutes,
9 as created by this act.

10 (4dx) UNRESTRICTED BONUSES FOR WISCONSIN WORKS AGENCIES. The department
11 of workforce development shall modify its request for proposals to administer
12 Wisconsin works under a contract with a term beginning on January 1, 2000, to
13 provide that, of the total unrestricted performance bonus available to each Wisconsin
14 works agency, 50% is to be distributed to the agency if the agency meets the 2nd
15 performance level, as defined by the department, and the remainder is to be
16 distributed to the agency if the agency meets the 3rd performance level, as defined
17 by the department.

18 (4g) POSITION DECREASE. The authorized FTE positions for the department of
19 workforce development funded from the appropriation under section 20.445 (3) (n)
20 of the statutes are decreased by 1.0 FED position on the effective date of this
21 subsection.

22 (4y) STUDY ON THE GUARDIAN AD LITEM SYSTEM.

23 (a) The joint legislative council is requested to establish a committee to study
24 reforming the guardian ad litem system as it applies to actions affecting the family.
25 The committee shall include legislators, attorneys, judges, court commissioners,

1 mental health professionals and other individuals representing the public interest.

2 The study shall include an examination of at least all of the following:

3 1. The appointment of guardians ad litem, including whether the appointment
4 of a guardian ad litem should be required in every case in which legal custody or
5 physical placement of a child is contested and whether professionals with specialized
6 training and expertise in the emotional and developmental phases and needs of
7 children, such as child psychologists, child psychiatrists and child therapists, should
8 be appointed to act as guardians ad litem.

9 2. The role of the guardian ad litem.

10 3. Supervision of guardians ad litem.

11 4. Training of guardians ad litem.

12 5. Compensation of guardians ad litem.

13 (b) If a committee is established, the committee shall prepare a report with its
14 recommendations and shall petition the supreme court to consider rules for the
15 reform of the guardian ad litem system on the basis of the recommendations.

16 (7mx) WAGE CLAIM LIENS. Notwithstanding section 109.09 (2) (c), 1997 stats.,
17 a lien that exists under section 109.09 (2) (a), 1997 stats., on the day before the
18 effective date of this subsection takes precedence over all other debts, judgments,
19 decrees, liens or mortgages against an employer that originated before that lien took
20 effect, except a lien of a financial institution, as defined in section 69.30 (1) (b) of the
21 statutes, or a lien under section 292.31 (8) (i) or 292.81 of the statutes.

22 **SECTION 9158. Nonstatutory provisions; other.**

23 (1d) CONSOLIDATION OF STATE VEHICLE FLEET OPERATIONS.

24 (a) In this subsection:

25 1. "Department" means the department of administration.

1 2. “Secretary” means the secretary of administration.

2 (b) The department shall submit to the cochairpersons of the joint committee
3 on finance for consideration at the 4th quarterly meeting of the committee under
4 section 13.10 of the statutes to be held in 1999 an implementation plan for
5 consolidating the vehicle fleet management functions of the department of natural
6 resources with the corresponding functions of the department.

7 (c) The plan submitted under paragraph (b) may include provision for any of
8 the following on the effective date specified in the plan:

9 1. Transfer of the assets and liabilities of the department of natural resources
10 relating to its vehicle fleet management functions to the department.

11 2. Transfer of the tangible personal property, including records, of the
12 department of natural resources relating to its vehicle fleet management functions
13 to the department.

14 3. Transfer to the department of any authorized full-time equivalent position
15 of the department of natural resources relating to its vehicle fleet management
16 functions. The plan shall include identification of the numbers, revenue sources and
17 types of any positions to be transferred from the department of natural resources to
18 the department under the plan.

19 4. Transfer to the department of any incumbent employes holding positions in
20 the department of natural resources relating to its vehicle fleet management
21 functions. Employes transferred under the plan have all the rights and the same
22 status under subchapter V of chapter 111 and chapter 230 of the statutes in the
23 department that they enjoyed in the department of natural resources immediately
24 before the transfer. Notwithstanding section 230.28 (4) of the statutes, no employe

1 so transferred who has attained permanent status in class is required to serve a
2 probationary period.

3 5. Transfer to the department of the contracts entered into by the department
4 of natural resources relating to its vehicle fleet management functions which are in
5 effect on the effective date of this subdivision. If the transfer occurs, the department
6 shall carry out any obligations under such a contract until modified or rescinded by
7 the department to the extent allowed under the contract.

8 6. Transfer to the department of any rules promulgated or orders issued by the
9 department of natural resources relating to its vehicle fleet management functions
10 which are in effect on the effective date of the plan. If the transfer occurs, any such
11 rules shall remain in effect until their specified expiration dates or until amended
12 or repealed by the department, and any such orders shall remain in effect until their
13 specified expiration dates or until modified or rescinded by the department.

14 7. Transfer to the department of any matter pending with the department of
15 natural resources relating to its vehicle fleet management functions. If the transfer
16 occurs, all materials submitted to or actions taken by the department of natural
17 resources with respect to the pending matter are considered as having been
18 submitted to or taken by the department.

19 (d) The department shall submit to the cochairpersons of the joint committee
20 on finance for consideration at the 3rd quarterly meeting of the committee under
21 section 13.10 of the statutes in the year 2000 an implementation plan for
22 consolidating the vehicle fleet management functions of the department of
23 transportation and the University of Wisconsin–Madison with the corresponding
24 functions of the department.

1 (e) The plan submitted under paragraph (d) may include provision for any of
2 the following on the effective date specified in the plan:

3 1. Transfer of the assets and liabilities of the department of transportation and
4 the University of Wisconsin–Madison relating to their vehicle fleet management
5 functions to the department.

6 2. Transfer of the tangible personal property, including records, of the
7 department of transportation and the University of Wisconsin–Madison to the
8 department.

9 3. Transfer to the department of any authorized full–time equivalent position
10 of the department of transportation or the board of regents of the University of
11 Wisconsin System relating to vehicle fleet management functions of the department
12 of transportation or the University of Wisconsin–Madison. The plan shall include
13 identification of the numbers, revenue sources and types of any positions to be
14 transferred from the department of transportation or the board of regents of the
15 University of Wisconsin System under the plan.

16 4. Transfer to the department of any incumbent employes holding positions at
17 the department of transportation or the University of Wisconsin–Madison relating
18 to vehicle fleet management functions. Employes transferred under the plan have
19 all the rights and the same status under subchapter V of chapter 111 and chapter 230
20 of the statutes that they enjoyed at the department of transportation or the
21 University of Wisconsin–Madison immediately before the transfer.
22 Notwithstanding section 230.08 (4) of the statutes, no employe so transferred who
23 has attained permanent status in class is required to serve a probationary period.

24 5. Transfer to the department of the contracts entered into by the department
25 of transportation and the board of regents of the University of Wisconsin System

1 relating to the vehicle fleet management functions of the department of
2 transportation and the University of Wisconsin–Madison which are in effect on the
3 effective date of this subdivision. If the transfer occurs, the department shall carry
4 out any obligations under such a contract until modified or rescinded by the
5 department to the extent allowed under the contract.

6 6. Transfer to the department of any rules promulgated or orders issued by the
7 department of transportation or the board of regents of the University of Wisconsin
8 System relating to the vehicle fleet management functions of the department of
9 transportation or the University of Wisconsin–Madison which are in effect on the
10 effective date of the plan. If the transfer occurs, any such rules shall remain in effect
11 until their specified expiration dates or until amended or repealed by the
12 department, and any such orders shall remain in effect until their specified
13 expiration dates or until modified or rescinded by the department.

14 7. Transfer to the department of any matter pending with the department of
15 transportation or the board of regents of the University of Wisconsin System relating
16 to the vehicle fleet management functions of the department of transportation or the
17 University of Wisconsin–Madison. If the transfer occurs, all materials submitted to
18 or actions taken by the department of transportation or the board of regents of the
19 University of Wisconsin System with respect to the pending matter are considered
20 as having been submitted to or taken by the department.

21 (f) The joint committee on finance may approve or modify and approve the plans
22 submitted under paragraphs (b) and (d). If the committee approves a plan, with or
23 without modifications, the department may implement the plan on the effective date
24 of the plan as specified in the plan. If the committee does not approve either plan,
25 the department shall not implement that plan.

1 (g) Notwithstanding section 16.42 of the statutes, the departments of natural
2 resources and transportation and the board of regents of the University of Wisconsin
3 System shall submit information under section 16.42 of the statutes for purposes of
4 the 2001–2003 biennial budget bill reflecting any savings incurred from
5 consolidation of vehicle fleet management functions as the result of implementation
6 of a plan under this subsection.

7 (h) The departments of natural resources and transportation and the board of
8 regents of the University of Wisconsin System shall fully cooperate with the
9 department in implementing any plan approved under paragraph (f).

10 (2m) EDUCATIONAL APPROVAL BOARD.

11 (a) *Assets and liabilities.* On the effective date of this paragraph, the assets and
12 liabilities of the higher educational aids board primarily related to the functions of
13 the educational approval board, as determined by the secretary of administration,
14 shall become the assets and liabilities of the department of veterans affairs.

15 (b) *Employe transfers.* All incumbent employes holding positions in the higher
16 educational aids board performing duties primarily related to the functions of the
17 educational approval board, as determined by the secretary of administration, are
18 transferred on the effective date of this paragraph to the department of veterans
19 affairs.

20 (c) *Employe status.* Employes transferred under paragraph (b) have all the
21 rights and the same status under subchapter V of chapter 111 and chapter 230 of the
22 statutes in the department of veterans affairs that they enjoyed in the higher
23 educational aids board immediately before the transfer. Notwithstanding section
24 230.28 (4) of the statutes, no employe so transferred who has attained permanent
25 status in class is required to serve a probationary period.

1 (d) *Tangible personal property.* On the effective date of this paragraph, all
2 tangible personal property, including records, of the higher educational aids board
3 that is primarily related to the functions of the educational approval board, as
4 determined by the secretary of administration, is transferred to the department of
5 veterans affairs.

6 (e) *Contracts.* On the effective date of this paragraph, all contracts entered into
7 by the higher educational aids board that are in effect on the effective date of this
8 paragraph and that are primarily related to the functions of the educational approval
9 board, as determined by the secretary of administration, remain in effect and are
10 transferred to the department of veterans affairs. The department of veterans
11 affairs shall carry out any such contractual obligations until modified or rescinded
12 by the department of veterans affairs to the extent allowed under the contract.

13 (7g) VILLAGE OF ASHWAUBENON TAX INCREMENTAL DISTRICT NUMBER TWO.
14 Notwithstanding section 66.46 (4) (h) 1. and 2. of the statutes, expenditures for
15 project costs for tax incremental district number two in the village of Ashwaubenon
16 may be made for not more than 5 years after the date on which the village board
17 adopted a resolution amending the project plan in a way that modified the district's
18 boundaries by adding territory to the district. Expenditures for tax incremental
19 district number two in the village of Ashwaubenon may be made through
20 July 30, 2001.

21 (7tw) SPECIAL TRANSFER AID REPORT.

22 (a) By May 1, 2000, the board of school directors of the school district operating
23 under chapter 119 of the statutes shall submit a report to the joint committee on
24 finance, the senate and assembly education committees and the Milwaukee school
25 construction board. The report shall include all of the following:

1 1. A strategy for achieving the percentages specified under section 121.85 (6)
2 (am) of the statutes, as created by this act.

3 2. A facility plan specifying the neighborhood schools that are needed, the
4 location of specialty schools and the estimated cost of the facility plan.

5 3. Other means by which the pupil capacity of neighborhood schools will be
6 expanded, which could include remodeling and use of nontraditional facilities.

7 4. Specific plans for establishing neighborhood schools and replicating or
8 relocating specialty schools in order to increase the number of pupils attending
9 neighborhood schools.

10 5. A description of the alternative settings, which are in compliance, as defined
11 in section 115.33 (1) (a) of the statutes, that will be used for educating pupils.

12 6. A plan for complying with section 121.85 (2) to (5) of the statutes.

13 (am) Before submitting the report under paragraph (a), the board of school
14 directors shall hold all of the following kinds of hearings on the report:

15 1. A general listening session.

16 2. A hearing at which goals and objectives are discussed.

17 3. A hearing to finalize the board's goals and objectives.

18 4. A hearing at which the board solicits ideas on a plan to implement the goals
19 and objectives.

20 5. A hearing at which the board presents an initial draft of a plan for
21 implementing the goals and objectives.

22 6. A hearing at which the board presents a final draft of a plan for implementing
23 the goals and objectives.

24 7. A hearing at which the board presents the plan.

1 (ar) The Milwaukee school construction board shall review the report under
2 paragraph (a) and may modify the report. The Milwaukee school construction board
3 shall approve the report, any modifications to the report, and shall submit the report,
4 including a recommendation of the amount of bonding necessary for school
5 construction to the joint committee on finance and the senate and assembly
6 education committees by June 1, 2000.

7 (b) The joint committee on finance shall review the report under paragraph (ar)
8 and may modify the report. The committee shall approve the report, and any
9 modifications to the report, by September 1, 2000.

10 (bm) If a member of the senate or assembly education committees requests a
11 hearing within 30 days after submission of the report under paragraph (a), the
12 member's committee shall hold a hearing on the report within 2 weeks after the
13 request.

14 (c) Notwithstanding section 121.85 (6) (ar) of the statutes, as created by this
15 act, the department of public instruction may not distribute any aid under section
16 121.85 (6) (ar) of the statutes, as created by this act, to the board of school directors
17 of the school district operating under chapter 119 of the statutes in the 2000–01 fiscal
18 year until the report is approved by the joint committee on finance under paragraph
19 (b).

20 (7x) TRUST LANDS IN TAX INCREMENTAL DISTRICT; GOVERNOR'S CONCURRENCE.

21 (a) Except as provided in paragraph (b), the governor may not concur with the
22 determination of the U.S. secretary of the interior, as described in 25 USC 2719 (b)
23 (1) (A), that a gaming establishment on land acquired by the secretary in trust for
24 an Indian tribe after October 17, 1988, would not be detrimental to the surrounding

1 area if the land on which the gaming establishment is located, or is proposed to be
2 located, is in a tax incremental district.

3 (b) The prohibition on concurrence under paragraph (a) does not apply if the
4 governor determines that appropriate arrangements have been made to ensure that
5 the life of the tax incremental district described in paragraph (a) will not be extended
6 for a greater number of years than the district would have existed if the land on which
7 the gaming establishment is located, or is proposed to be located, were not part of the
8 tax incremental district.

9 (8c) REPORT ON ENVIRONMENTAL LAW ENFORCEMENT TRAINING. The department of
10 justice and the department of natural resources shall jointly review educational
11 materials and training objectives prepared by the Midwest Environmental
12 Enforcement Association. The review shall be conducted in consultation with
13 instructors and other staff from law enforcement training academies. The
14 department of justice and the department of natural resources shall jointly prepare
15 a written report of their review and shall submit the report to the cochairpersons of
16 the joint committee on finance for consideration at the 2nd quarterly meeting of the
17 committee under section 13.10 of the statutes in the year 2000. The report shall
18 include recommendations concerning all of the following:

19 (a) Using the Roll Call Law format of the department of justice to produce an
20 environmental law enforcement training video for distribution to law enforcement
21 agencies and law enforcement training academies.

22 (b) Developing an environmental law enforcement training seminar for
23 presentation at regional training events.

24 (c) Producing an environmental law enforcement training presentation in
25 optical disk or electronic format.

1 (d) Using techniques of distance education, as defined in section 24.60 (1g) of
2 the statutes, to provide environmental law enforcement training.

3 (e) Funding any environmental law enforcement training proposals under
4 paragraphs (a) to (d) using law enforcement training funds from the department of
5 justice and fish and wildlife funds and environmental funds from the department of
6 natural resources.

7 (8w) DANE COUNTY REGIONAL PLANNING COMMISSION.

8 (a) Notwithstanding the composition of the membership of the Dane County
9 regional planning commission that is determined under section 66.945 (3) (b) of the
10 statutes and the terms for such regional planning commission members that are
11 determined under section 66.945 (3) (c) of the statutes, no commissioner of the Dane
12 County regional planning commission who holds office on the 30th day after the
13 effective date of this paragraph may remain in his or her office beyond that date
14 unless he or she is reappointed under paragraph (b).

15 (b) Beginning on the 31st day after the effective date of this paragraph, the
16 Dane County regional planning commission shall consist of the following members,
17 subject to paragraph (c):

18 1. Four members who are appointed by the mayor of the city of Madison.

19 2. Three members who are appointed by the governor from a list of names
20 submitted by an association representing towns that is in existence on
21 January 1, 1999.

22 3. Three members who are appointed by the governor from a list of names
23 submitted jointly by an association representing villages and by an association
24 representing 3rd and 4th class cities, both of which are in existence on
25 January 1, 1999.

1 4. Three members who are appointed by the Dane County executive, one of
2 whom shall be a resident of the city of Madison, one of whom shall be a resident of
3 a town that is located in Dane County and one of whom shall be a resident of a village
4 or a 3rd or 4th class city that is located in whole or in part in Dane County.

5 (c) Not more than 3 of the members appointed under paragraph (b) may be
6 members of the Dane County board. If more than 3 members of the Dane County
7 board are appointed under paragraph (b), the first 3 Dane County board members
8 who are appointed shall be on the Dane County regional planning commission and
9 the individual who appointed Dane County board members who may not be on the
10 commission shall appoint other individuals for those positions on the commission.

11 (d) For any action taken by the Dane County regional planning commission in
12 any of the following areas, a supermajority of 8 votes is required:

- 13 1. Any changes to an urban service area, as designated under 33 USC 1288.
- 14 2. Any changes to the Dane County land use and transportation plan.

15 (e) Notwithstanding the procedures for dissolution of a regional planning
16 commission that are specified under section 66.945 (15) of the statutes, the Dane
17 County regional planning commission shall be dissolved on October 1, 2002. All
18 unexpended funds of the commission on that date shall be applied to any outstanding
19 indebtedness of the commission. If any outstanding indebtedness of the commission
20 remains after the application of the unexpended funds to such debts, the remaining
21 indebtedness shall be assessed to Dane County. If the commission has no
22 outstanding indebtedness and has unexpended funds, such funds shall be returned
23 to the cities, villages, towns or county that supplied them.

24 (8zo) ELECTED MEMBERS, CITIZEN MEMBERS OF LOCAL PLANNING COMMISSIONS.

1 (a) Notwithstanding section 62.23 (1) (c), 1997 stats., an alderperson, village
2 board member or town board member who is elected by his or her colleagues in April
3 1999 to serve on a city, village or town planning commission under section 62.23 (1)
4 (b), 1997 stats., may serve on the planning commission until April 2000.

5 (b) A citizen member of a city, village or town planning commission who is
6 appointed under section 62.23 (1) (c), 1997 stats., may serve on the planning
7 commission until the expiration of the term to which he or she was appointed.

8 (9c) TOBACCO CONTROL BOARD; POSITION AUTHORIZATION. There is authorized for
9 the tobacco control board 1.0 FTE SEG executive director position and 1.0 FTE SEG
10 other position to be funded from the appropriation under section 20.436 (1) (tb) of the
11 statutes, as created by this act.

12 (9g) WINNEBAGO COUNTY CLAIM. There is directed to be expended from the
13 appropriation under section 20.510 (1) (a) of the statutes, as affected by the acts of
14 1999, \$2,087 in payment of a claim against the state made by Winnebago County to
15 compensate the county for the cost of reprinting ballots for the 1988 general election
16 that were found by the state elections board to be out of conformity with state law.
17 Acceptance of this payment releases this state and its officers, employes and agents
18 from any further liability with respect to the county's defective ballots for the 1988
19 general election.

20 (9z) HIGHER EDUCATIONAL AIDS BOARD; POSITION DECREASE. The authorized FTE
21 positions for the higher educational aids board, funded from the appropriation under
22 section 20.235 (2) (qb) of the statutes, are decreased by 0.86 SEG position.

23 (10g) LAPSES FROM CERTAIN APPROPRIATIONS FROM WHICH MEMBERSHIP DUES IN
24 STATE AND NATIONAL ORGANIZATIONS ARE PAID.

25 (a) In this subsection:

1 1. “Secretary” means the secretary of administration.

2 2. “State agency” has the meaning given in section 20.001 (1) of the statutes.

3 (b) The secretary shall determine for each state agency the amount expended
4 by the state agency for membership dues for any state or national organization in the
5 1998–99 fiscal year that was funded from each revenue source except federal
6 revenue.

7 (c) The secretary shall, during the 1999–2000 fiscal year, lapse to the general
8 fund or appropriate segregated fund from each sum certain appropriation account
9 made to each state agency from any revenue source except program revenue,
10 segregated revenue derived from specific program receipts or federal revenue, or
11 shall reestimate to subtract from the expenditure estimate for each appropriation
12 other than a sum certain appropriation made to each state agency from any revenue
13 source except federal revenue, an amount equivalent to 10% of the total amount
14 expended by that state agency for membership dues for any state or national
15 organization from that appropriation in the 1998–99 fiscal year, if any. The secretary
16 shall, during the 2000–01 fiscal year, lapse to the general fund or appropriate
17 segregated fund from each such account or shall reestimate to subtract from each
18 such estimate an equivalent amount.

19 (d) Each sum certain appropriation to each state agency for the 1999–2000
20 fiscal year and the 2000–01 fiscal year from program revenue or segregated revenue
21 derived from specific program receipts is decreased by an amount equivalent to 10%
22 of the total amount expended by that agency for membership dues for any state or
23 national organization from that appropriation in the 1998–99 fiscal year, as
24 determined by the secretary.

1 (11mg) TOBACCO CONTROL BOARD. Notwithstanding section 15.77 (2) of the
2 statutes, as created by this act, 4 of the initial members of the tobacco control board
3 appointed under section 15.195 (1) (a) 5. to 12. of the statutes, as created by this act,
4 shall serve for terms expiring on May 1, 2003; 4 of the initial members of the tobacco
5 control board appointed under section 15.195 (1) (a) 5. to 12. of the statutes, as
6 created by this act, shall serve for terms expiring on May 1, 2002; and 4 of the initial
7 members of the tobacco control board appointed under section 15.195 (1) (a) 5. to 12.
8 of the statutes, as created by this act, shall serve for a term expiring on May 1, 2001.

9 **SECTION 9201. Appropriation changes; administration.**

10 (2b) RESERVE FOR CANCELED DRAFTS. On the effective date of this subsection, all
11 moneys that are reserved under section 20.912 (2), 1997 stats., for the payment of
12 canceled checks, share drafts and other drafts under section 20.912 (3), 1997 stats.,
13 shall revert to the fund from which the canceled checks, share drafts and other drafts
14 were drawn and are available for appropriation.

15 (2f) FEDERAL INTEREST REIMBURSEMENT LAPSE. Notwithstanding section 20.001
16 (3) (a) of the statutes, no later than the first day of the 2nd month beginning after
17 the effective date of this subsection, there is lapsed to the general fund from the
18 appropriation account under section 20.505 (1) (ma) of the statutes the amount
19 determined by the secretary of administration under SECTION 9101 (19f) of this act.

20 (2m) TRANSFER OF FUNDS FOR ANTI-DRUG ENFORCEMENT; ADMINISTRATION.
21 Immediately before the transfer under section 20.505 (6) (j) 13. of the statutes, as
22 created by this act, to section 20.505 (6) (k) of the statutes, as affected by this act,
23 there is transferred from the appropriation account under section 20.505 (6) (k) of the
24 statutes, as affected by this act, to the appropriation account under section 20.505
25 (6) (j) of the statutes, as created by this act, an amount equal to 80% of the

1 unencumbered balance in the appropriation account under section 20.505 (6) (k),
2 1997 stats., at the end of the 1998–99 fiscal year.

3 (2n) TRANSFER OF FUNDS FOR ANTI-DRUG ENFORCEMENT; LOCAL ASSISTANCE.
4 Immediately before the transfer under section 20.505 (6) (j) 3. of the statutes, as
5 created by this act, to section 20.505 (6) (kp) of the statutes, as affected by this act,
6 the following amounts shall be transferred from the appropriation account under
7 section 20.505 (6) (kp) of the statutes, as affected by this act, to the appropriation
8 account under section 20.505 (6) (j) of the statutes, as created by this act:

9 (a) An amount equal to 80% of the unencumbered balance in the appropriation
10 account under section 20.505 (6) (g), 1997 stats., at the end of the 1998–99 fiscal year.

11 (b) An amount equal to the moneys credited to the appropriation account under
12 section 20.505 (6) (g), 1997 stats., between August 1, 1999, and the effective date of
13 this paragraph.

14 (2p) TRANSFER OF FUNDS FOR ANTI-DRUG ENFORCEMENT; STATE AGENCIES.
15 Immediately before the transfer under section 20.505 (6) (j) 14. of the statutes, as
16 created by this act, to section 20.505 (6) (kt) of the statutes, as affected by this act,
17 there is transferred from the appropriation account under section 20.505 (6) (kt) of
18 the statutes, as affected by this act, to the appropriation account under section
19 20.505 (6) (j) of the statutes, as created by this act, an amount equal to 80% of the
20 unencumbered balance in the appropriation account under section 20.505 (6) (h),
21 1997 stats., at the end of the 1998–99 fiscal year.

22 (2x) MOBILE HOME PARKS, DEALERS AND SALESPERSONS. On the effective date of
23 this subsection, the unencumbered balance in the appropriation account under
24 section 20.505 (7) (jf) of the statutes, as affected by the acts of 1999, is transferred

1 to the appropriation account under section 20.143 (3) (j) of the statutes, as affected
2 by the acts of 1999.

3 (3m) STATE VEHICLE FLEET. Notwithstanding section 20.001 (3) (a) and (c) of the
4 statutes, not later than June 30, 2001, the department of administration shall lapse
5 a total of \$230,000 from the appropriation accounts under section 20.285 (1) (h) of the
6 statutes, as affected by this act, and sections 20.370 (8) (mt), 20.395 (4) (er) and
7 20.505 (1) (kb) of the statutes to the general fund, in the amounts determined by the
8 secretary of administration.

9 **SECTION 9204. Appropriation changes; agriculture, trade and**
10 **consumer protection.**

11 (1) PLANT PEST DETECTION. The unencumbered balance in the appropriation
12 account under section 20.115 (7) (j), 1997 stats., is transferred to the appropriation
13 account under section 20.115 (7) (ja) of the statutes, as created by this act.

14 (2) AGRICULTURAL CHEMICAL CLEANUP FUND TRANSFER. There is transferred from
15 the agricultural chemical cleanup fund to the general fund \$1,500,000 in fiscal year
16 1999–00 and \$500,000 in fiscal year 2000–01.

17 (3g) AGRICHEMICAL MANAGEMENT FUND TRANSFER. There is transferred from the
18 agrichemical management fund to the general fund \$1,000,000 in fiscal year
19 1999–00.

20 **SECTION 9210. Appropriation changes; commerce.**

21 (1) PHYSICIAN AND HEALTH CARE PROVIDER LOAN ASSISTANCE PROGRAMS TRANSFER.
22 On the effective date of this subsection, the unencumbered balance of the
23 appropriation account of the department of commerce under section 20.143 (1) (f) of
24 the statutes, as affected by this act, immediately before the effective date of this

1 subsection is transferred to the appropriation account of the department of
2 commerce under section 20.143 (1) (kr) of the statutes, as affected by this act.

3 **SECTION 9211. Appropriation changes; corrections.**

4 (2g) CORRECTIONAL OFFICER TRAINING. Immediately before the transfer under
5 section 20.505 (6) (j) 6. of the statutes, as created by this act, to section 20.410 (1) (kp)
6 of the statutes, as affected by this act, there is transferred from the appropriation
7 account under section 20.410 (1) (kp) of the statutes, as affected by this act, to the
8 appropriation account under section 20.505 (6) (j) of the statutes, as created by this
9 act, an amount equal to the moneys credited to the appropriation account under
10 section 20.410 (1) (jp), 1997 stats., between August 1, 1999, and the effective date of
11 this subsection.

12 **SECTION 9223. Appropriation changes; health and family services.**

13 (1) DRIVER IMPROVEMENT SURCHARGE LAPSE. Notwithstanding section 20.001 (3)
14 (c) of the statutes, on June 30, 2000, there is lapsed to the general fund \$850,000
15 from the appropriation account of the department of health and family services
16 under section 20.435 (6) (hx) of the statutes, as affected by the acts of 1999.

17 (1w) STATE SHARE OF MEDICAL ASSISTANCE PAYMENTS. Notwithstanding section
18 20.435 (7) (bd) of the statutes, as affected by this act, the department of health and
19 family services may transfer from the appropriation under section 20.435 (7) (bd) of
20 the statutes, as affected by this act, to the appropriation under section 20.435 (4) (b)
21 of the statutes, as affected by this act, not more than \$2,279,000 in fiscal year
22 1999–00 and not more than \$6,958,300 in fiscal year 2000–01 for the purpose of
23 funding the state share of medical assistance benefits for individuals who convert
24 from the community options program under section 46.27 (7) of the statutes, as

1 affected by this act, to the medical assistance purchase plan under section 49.472 of
2 the statutes, as created by this act.

3 (2g) LAPSE OF INCOME AUGMENTATION RECEIPTS.

4 (a) Notwithstanding section 20.001 (3) (c) of the statutes, by no later than 30
5 days after the effective date of this paragraph, the secretary of administration shall
6 lapse to the general fund \$12,013,200 from the appropriation account to the
7 department of health and family services under section 20.435 (8) (mb) of the
8 statutes, as affected by the acts of 1999.

9 (b) Notwithstanding section 20.001 (3) (c) of the statutes, by no later than
10 June 30, 2001, the secretary of administration shall lapse to the general fund
11 \$6,100,000 from the appropriation account to the department of health and family
12 services under section 20.435 (8) (mb) of the statutes, as affected by the acts of 1999,
13 in addition to the amount lapsed under paragraph (a).

14 (3c) TRANSFER OF UNEXPENDED SUBSTANCE ABUSE FUNDS. Of the amounts shown
15 in the schedule under section 20.435 (7) (bc) of the statutes, as affected by this act,
16 for fiscal year 1999–2000, \$5,000,000 is allocated for substance abuse grants under
17 section 46.48 (30) of the statutes, as created by this act. Of that amount, the
18 department of health and family services may expend or encumber only that amount
19 that equals \$416,670 times the number of months in fiscal year 1999–2000 for which
20 grants are awarded under section 46.48 (30) of the statutes, as created by this act.

21 **SECTION 9225. Appropriation changes; Housing and Economic**
22 **Development Authority.**

23 (1) TRANSFER FROM WISCONSIN DEVELOPMENT RESERVE FUND TO ENVIRONMENTAL
24 FUND. On the effective date of this subsection, the executive secretary of the
25 Wisconsin Housing and Economic Development Authority shall transfer from the

1 Wisconsin development reserve fund under section 234.93 of the statutes, as affected
2 by this act, to the secretary of administration for deposit in the environmental fund
3 \$4,000,000 that was appropriated to the Wisconsin development reserve fund under
4 the appropriation to the Wisconsin Housing and Economic Development Authority
5 under section 20.490 (5) (t), 1997 stats.

6 **SECTION 9230. Appropriation changes; justice.**

7 (1) COUNTY-TRIBAL LAW ENFORCEMENT PROGRAMS. The unencumbered balance in
8 the appropriation account under section 20.455 (2) (hm), 1997 stats., is transferred
9 to the appropriation account under section 20.505 (6) (j) of the statutes, as created
10 by this act.

11 (2m) PENALTY ASSESSMENT RECEIPTS; IMMEDIATE TRANSFER. There is transferred
12 from the appropriation account under section 20.455 (2) (i) of the statutes, as affected
13 by this act, to the appropriation account under section 20.505 (6) (j) of the statutes,
14 as created by this act, an amount equal to 90% of the unencumbered balance in the
15 appropriation account under section 20.455 (2) (i), 1997 stats., at the end of the
16 1998–99 fiscal year.

17 (3m) PENALTY ASSESSMENT RECEIPTS; 1999–2000 FISCAL YEAR TRANSFER. On
18 June 30, 2000, 90% of the unencumbered balance of the appropriation account under
19 section 20.455 (2) (i) of the statutes, as affected by this act, is transferred to the
20 appropriation account under section 20.505 (6) (j) of the statutes, as created by this
21 act.

22 **SECTION 9235. Appropriation changes; military affairs.**

23 (1) REGIONAL EMERGENCY RESPONSE TEAMS. Notwithstanding section 20.001 (3)
24 (c) of the statutes, on the effective date of this subsection there is lapsed to the general

1 fund \$303,900 from the appropriation account to the department of military affairs
2 under section 20.465 (3) (dr) of the statutes, as affected by the acts of 1999.

3 **SECTION 9236. Appropriation changes; natural resources.**

4 (1) BEAVER CONTROL FUNDING. Notwithstanding section 20.001 (3) (c) of the
5 statutes, on the effective date of this subsection, there is lapsed to the fish and
6 wildlife account of the conservation fund \$352,000 from the appropriation account
7 under section 20.370 (1) (Lr) of the statutes.

8 (1c) RECYCLING FUND TRANSFER. There is transferred from the recycling fund to
9 the general fund \$15,000,000 in fiscal year 1999–00 and \$7,000,000 in fiscal year
10 2000–01.

11 (2) SPEARFISHING ENFORCEMENT. Notwithstanding section 20.001 (3) (c) of the
12 statutes, on the effective date of this subsection, there is lapsed to the general fund,
13 from the appropriation to the department of natural resources under section 20.370
14 (5) (ea) of the statutes, an amount equal to the unencumbered balance in that
15 appropriation on the day before the effective date of this subsection.

16 (3fx) PARKS FUNDING.

17 (af) There is transferred \$1,630,000 from the parks account of the conservation
18 fund to the general fund.

19 (bf) On July 1, 2000, there is transferred \$500,000 from the parks account of
20 the conservation fund to the general fund.

21 (4c) ALL-TERRAIN VEHICLE ACCOUNT TRANSFER. There is transferred \$625,000
22 from the all-terrain vehicle account of the conservation fund to the general fund.

23 (4f) WASTE REDUCTION AND RECYCLING DEMONSTRATION GRANT LAPSE.
24 Notwithstanding section 20.001 (3) (c) of the statutes, on the effective date of this
25 subsection, there is lapsed to the recycling fund, from the appropriation account to

1 the department of natural resources under section 20.370 (6) (br) of the statutes, as
2 affected by this act, an amount equal to the unencumbered balance in that
3 appropriation account on June 30, 1999, less \$500,000.

4 **SECTION 9238. Appropriation changes; public defender board.**

5 (1h) PUBLIC DEFENDER CONFERENCES AND TRAINING. Immediately before the
6 transfer under section 20.505 (6) (j) 15. of the statutes, as created by this act, to
7 section 20.550 (1) (kj) of the statutes, as affected by this act, the following amounts
8 shall be transferred from the appropriation account under section 20.550 (1) (kj) of
9 the statutes, as affected by this act, to the appropriation account under section
10 20.505 (6) (j) of the statutes, as created by this act:

11 (a) An amount equal to 90% of the unencumbered balance in the appropriation
12 account under section 20.550 (1) (j), 1997 stats., at the end of the 1998–99 fiscal year.

13 (b) An amount equal to the moneys credited to the appropriation account under
14 section 20.550 (1) (j), 1997 stats., between August 1, 1999, and the effective date of
15 this paragraph.

16 **SECTION 9239. Appropriation changes; public instruction.**

17 (1h) ALCOHOL AND OTHER DRUG ABUSE PROGRAMS IN SCHOOLS. Immediately before
18 the transfer under section 20.505 (6) (j) 4. of the statutes, as created by this act, to
19 section 20.255 (1) (kd) of the statutes, as affected by this act, the following amounts
20 shall be transferred from the appropriation account under section 20.255 (1) (kd) of
21 the statutes, as affected by this act, to the appropriation account under section
22 20.505 (6) (j) of the statutes, as created by this act:

23 (a) An amount equal to 90% of the unencumbered balance in the appropriation
24 account under section 20.255 (1) (hr), 1997 stats., at the end of the 1998–99 fiscal
25 year.

1 (b) An amount equal to the moneys credited to the appropriation account under
2 section 20.255 (1) (hr), 1997 stats., between August 1, 1999, and the effective date
3 of this paragraph.

4 (2h) AID FOR ALCOHOL AND OTHER DRUG ABUSE PROGRAMS IN SCHOOLS. Immediately
5 before the transfer under section 20.505 (6) (j) 5. of the statutes, as created by this
6 act, to section 20.255 (2) (kd) of the statutes, as affected by this act, the following
7 amounts shall be transferred from the appropriation account under section 20.255
8 (2) (kd) of the statutes, as affected by this act, to the appropriation account under
9 section 20.505 (6) (j) of the statutes, as created by this act:

10 (a) An amount equal to 90% of the unencumbered balance in the appropriation
11 account under section 20.255 (2) (g), 1997 stats., at the end of the 1998–99 fiscal year.

12 (b) An amount equal to the moneys credited to the appropriation account under
13 section 20.255 (2) (g), 1997 stats., between August 1, 1999, and the effective date of
14 this paragraph.

15 **SECTION 9241. Appropriation changes; public service commission.**

16 (1d) TRANSFER TO DEPARTMENT OF PUBLIC INSTRUCTION. On the effective date of
17 this subsection, there is transferred \$43,500 from the appropriation to the public
18 service commission under section 20.155 (1) (q) of the statutes, as affected by the acts
19 of 1999, to the appropriation to the department of public instruction under section
20 20.255 (1) (ke) of the statutes, as affected by the acts of 1999. On July 1, 2000, there
21 is transferred \$45,500 from the appropriation to the public service commission under
22 section 20.155 (1) (q) of the statutes, as affected by the acts of 1999, to the
23 appropriation to the department of public instruction under section 20.255 (1) (ke)
24 of the statutes, as affected by the acts of 1999.

25 **SECTION 9243. Appropriation changes; revenue.**

1 (1) INVESTMENT AND LOCAL IMPACT FUND. There is transferred from the
2 investment and local impact fund to the appropriation account under section 20.566
3 (7) (g) of the statutes, as affected by the acts of 1999, an amount equal to the amount
4 expended from the appropriation account under section 20.566 (7) (g) of the statutes
5 during fiscal year 1998–99.

6 (2c) TRANSFERS TO THE LOTTERY FUND.

7 (a) On March 27, 2000, there is transferred from the general fund to the lottery
8 fund \$37,207,000.

9 (b) On March 26, 2001, there is transferred from the general fund to the lottery
10 fund \$216,689,300.

11 **SECTION 9250. Appropriation changes; transportation.**

12 (1) STATEWIDE PUBLIC SAFETY RADIO MANAGEMENT PROGRAM TRANSFERS.

13 (a) On July 31, 1999, or on the 30th day after the effective date of this
14 paragraph, whichever is later, there is transferred from the appropriation account
15 to the department of transportation under section 20.395 (5) (dq) of the statutes, as
16 affected by the acts of 1999, to the appropriation account to the department of
17 transportation under section 20.395 (5) (dk) of the statutes, as affected by the acts
18 of 1999, the sum of \$68,700.

19 (b) On July 31, 1999, or on the 30th day after the effective date of this
20 paragraph, whichever is later, there is transferred from the appropriation account
21 to the department of transportation under section 20.395 (3) (cq) of the statutes, as
22 affected by the acts of 1999, to the appropriation account to the department of
23 transportation under section 20.395 (5) (dk) of the statutes, as affected by the acts
24 of 1999, the sum of \$32,400.

1 (c) On July 31, 2000, there is transferred from the appropriation account to the
2 department of transportation under section 20.395 (5) (dq) of the statutes, as affected
3 by the acts of 1999, to the appropriation account to the department of transportation
4 under section 20.395 (5) (dk) of the statutes, as affected by the acts of 1999, the sum
5 of \$68,700.

6 (d) On July 31, 2000, there is transferred from the appropriation account to the
7 department of transportation under section 20.395 (3) (cq) of the statutes, as affected
8 by the acts of 1999, to the appropriation account to the department of transportation
9 under section 20.395 (5) (dk) of the statutes, as affected by the acts of 1999, the sum
10 of \$32,400.

11 (2) HAZARDOUS MATERIALS TRANSPORTATION REGISTRATION FEES. Notwithstanding
12 section 20.002 (3m) of the statutes, on the effective date of this subsection, there is
13 lapsed to the transportation fund, from the appropriation account to the department
14 of transportation under section 20.395 (4) (bh) of the statutes, as affected by this act,
15 an amount equal to the unencumbered balance in that appropriation account on the
16 day before the effective date of this subsection.

17 **SECTION 9257. Appropriation changes; workforce development.**

18 (2) SCHOOL-TO-WORK PROGRAMS. The unencumbered balance in the
19 appropriation account under section 20.445 (1) (kb) of the statutes, as affected by this
20 act, immediately before the effective date of this subsection is transferred to the
21 appropriation account under section 20.445 (7) (kb) of the statutes, as affected by this
22 act.

23 (5f) ALLOCATION OF SCHOOL-TO-WORK MONEYS. In fiscal year 1999–2000, the
24 department of workforce development shall allocate at least \$284,300 under section
25 20.445 (7) (kb) of the statutes, as affected by the acts of 1999, to the department of

1 public instruction to support the costs of contracting with a vocational education
2 consultant and other technical preparation–related costs. In fiscal year 2000–01, the
3 department of workforce development shall allocate at least \$284,300 under section
4 20.445 (7) (kb) of the statutes, as affected by the acts of 1999, to the department of
5 public instruction for the same purpose.

6 **SECTION 9258. Appropriation changes; other.**

7 (1d) TRANSFERS TO BUDGET STABILIZATION FUND.

8 (a) *Legislative fiscal bureau certifications.*

9 1. No later than January 31, 2000, the legislative fiscal bureau shall certify to
10 the joint committee on finance the bureau's estimate of the 1999–2000 and 2000–01
11 general fund supported expenditures for general obligation debt service.

12 2. No later than January 31, 2001, the legislative fiscal bureau shall certify to
13 the joint committee on finance the bureau's estimate of the 2000–01 general fund
14 supported expenditures for general obligation debt service.

15 (b) *Joint committee on finance passive review.*

16 1. If the cochairpersons of the joint committee on finance do not notify the
17 secretary of administration that the committee has scheduled a meeting for the
18 purpose of reviewing the amounts certified under paragraph (a) 1. within 14 working
19 days after the date of the certification, the secretary of administration shall direct
20 that the transfers under paragraphs (c) and (d) be made on the basis of the estimated
21 expenditures certified by the legislative fiscal bureau. If, within 14 working days
22 after the date of the certification, the cochairpersons of the committee notify the
23 secretary of administration that the committee has scheduled a meeting for the
24 purpose of reviewing the amounts certified under paragraph (a) 1., the secretary of
25 administration shall make the transfers under paragraphs (c) and (d) only after the

1 committee has notified the secretary of administration of the estimated expenditures
2 approved by the committee, in which case the secretary of administration shall make
3 the transfers required under paragraphs (c) and (d) on the basis of the estimated
4 expenditures.

5 2. If the cochairpersons of the joint committee on finance do not notify the
6 secretary of administration that the committee has scheduled a meeting for the
7 purpose of reviewing the amounts certified under paragraph (a) 2. within 14 working
8 days after the date of the certification, the secretary of administration shall direct
9 that the transfers under paragraph (e) be made on the basis of the estimated
10 expenditures certified by the legislative fiscal bureau. If, within 14 working days
11 after the date of the certification, the cochairpersons of the committee notify the
12 secretary of administration that the committee has scheduled a meeting for the
13 purpose of reviewing the amounts certified under paragraph (a) 2., the secretary of
14 administration shall make the transfers under paragraph (e) only after the
15 committee has notified the secretary of administration of the estimated expenditures
16 approved by the committee, in which case the secretary of administration shall make
17 the transfers required under paragraph (e) on the basis of the estimated
18 expenditures.

19 (c) *Transfers based on the 1999–2000 certification of the 1999–2000*
20 *expenditures for general obligation debt service.* If the estimated 1999–2000 general
21 fund supported expenditures for general obligation debt service, as certified by the
22 legislative fiscal bureau or approved by the joint committee on finance as specified
23 under paragraph (b) 1., are less than the amount of the estimated 1999–2000
24 expenditures in the schedule under section 20.005 (1) of the statutes, as shown by

1 SECTION 171 of this act, the difference shall be transferred from the general fund to
2 the budget stabilization fund no later than June 30, 2000.

3 (d) *Transfers based on the 1999–2000 certification of the 2000–01 expenditures*
4 *for general obligation debt service.* If the estimated 2000–01 general fund supported
5 expenditures for general obligation debt service, as certified by the legislative fiscal
6 bureau or approved by the joint committee on finance as specified under paragraph
7 (b) 1., are less than the amount of the estimated 2000–01 expenditures in the
8 schedule under section 20.005 (1) of the statutes, as shown by SECTION 171 of this act,
9 the difference shall be transferred from the general fund to the budget stabilization
10 fund no later than June 30, 2001.

11 (e) *Transfers based on the 2000–01 certification of the 2000–01 expenditures for*
12 *general obligation debt service.* If the estimated 2000–01 general fund supported
13 expenditures for general obligation debt service, as certified by the legislative fiscal
14 bureau or approved by the joint committee on finance as specified under paragraph
15 (b) 2., are less than the amount of the estimated 2000–01 expenditures in the
16 schedule under section 20.005 (1) of the statutes, as affected by any amendments to
17 the schedule approved under section 20.004 (2) of the statutes, the difference shall
18 be transferred from the general fund to the budget stabilization fund no later than
19 June 30, 2001.

20 **SECTION 9301. Initial applicability; administration.**

21 (1d) LEGISLATIVE APPROVAL OF INDIAN GAMING COMPACTS AND PROPOSED INDIAN
22 GAMING ESTABLISHMENTS. The treatment of section 14.037 of the statutes, the
23 renumbering and amendment of section 14.035 of the statutes and the creation of
24 section 14.035 (2) of the statutes first apply to gaming compacts negotiated by the

1 governor and decisions made by the governor as described under 25 USC 2719 (1) (A)
2 beginning on the effective date of this subsection.

3 (2g) UNCLAIMED PRIZES. The treatment of sections 562.065 (4) of the statutes
4 first applies to prizes that are unclaimed on the 90th day after the end of the 2000
5 racing season.

6 **SECTION 9304. Initial applicability; agriculture, trade and consumer**
7 **protection.**

8 (1) LICENSE FEES FOR VEHICLE SCALE OPERATORS. The treatment of section 98.16
9 (2) (b) of the statutes first applies to licenses issued on the effective date of this
10 subsection.

11 (2) CONSUMER INFORMATION ASSESSMENTS. The treatment of sections 59.25 (3) (f)
12 2., 59.40 (2) (m), 66.119 (1) (b) 7. c. and d. and (c) and (3) (a), (b), (c) and (d), 66.12 (1)
13 (b), 100.261, 778.02, 778.03, 778.06, 778.10, 778.105, 778.13, 778.18, 800.02 (2) (a)
14 8. and (3) (a) 5., 800.03 (3), 800.04 (2) (b) and (c), 800.09 (1) (intro.) and (a) and (2)
15 (b), 800.10 (2) (with respect to consumer information assessments), 800.12 (2),
16 814.60 (2) (ai), 814.63 (3) (ai), 973.05 (1) and (2) and 973.07 of the statutes first
17 applies to violations that occur on the effective date of this subsection.

18 **SECTION 9307. Initial applicability; building commission.**

19 (1x) LEASE/PURCHASE OF STATE BUILDINGS. The treatment of section 20.924 (1)
20 (im) and (j) of the statutes first applies to contracts for the construction of any
21 building, structure or facility, or portion thereof, for initial occupancy by the state
22 that contain an option for the state to purchase the building, structure or facility
23 entered into, or extended, modified or renewed, on the effective date of this
24 subsection.

25 **SECTION 9309. Initial applicability; circuit courts.**

1 (1) LIABILITY OF CERTAIN SUBROGATED PLAINTIFFS. The treatment of sections 49.89
2 (2) and (3m) (bm), 803.03 (2) (b) and (bm) and 814.03 (3) of the statutes first applies
3 to actions or claims commenced on the effective date of this subsection.

4 (1w) FEES FOR TERMINATION OF PARENTAL RIGHTS ACTIONS. The treatment of
5 section 814.61 (1) (c) 4. of the statutes first applies to actions commenced on the
6 effective date of this subsection.

7 (1x) FEES FOR ADOPTION ACTIONS. The treatment of section 814.61 (1) (c) 5. of the
8 statutes first applies to actions commenced on the effective date of this subsection.

9 (3t) CUSTODY AND PHYSICAL PLACEMENT STUDY FEE. The treatment of section
10 814.615 (1) (a) 3. of the statutes first applies to studies ordered on the effective date
11 of this subsection.

12 (4t) PLACEMENT OR VISITATION WITH A PARENT WHO KILLS A PARENT. The treatment
13 of sections 48.207 (1) (a) and (b), 48.345 (3) (a) and (b), 48.357 (4d), 48.42 (1m) (b),
14 (c) and (e), 48.925 (1) (intro.) and (1m), 767.245 (1), (1m) and (6), 767.247, 767.325
15 (4m), 880.155 (2), (3m) and (4m), 880.157, 938.207 (1) (a) and (b), 938.34 (3) (a) and
16 (b) and 938.357 (4d) of the statutes, the renumbering and amendment of sections
17 48.355 (3), 48.428 (6) and 938.355 (3) of the statutes and the creation of sections
18 48.355 (3) (b), 48.428 (6) (b) and 938.355 (3) (b) of the statutes first apply to orders
19 for visitation or physical placement, and to orders modifying or revising visitation
20 or physical placement orders, that are granted on the effective date of this
21 subsection; to petitions to restrain and enjoin visitation and contact with a child that
22 are filed on the effective date of this subsection; and to orders of the juvenile court
23 placing a child in or removing a child from the home of a parent, guardian or relative
24 or granting or prohibiting parental visitation granted on the effective date of this

1 subsection; regardless of when the conviction of first-degree or 2nd-degree
2 intentional homicide occurred.

3 (6g) CONSENT DECREES. The treatment of section 48.32 (2) (a) of the statutes first
4 applies to consent decrees entered into on the effective date of this subsection.

5 **SECTION 9310. Initial applicability; commerce.**

6 (1) DEVELOPMENT ZONES CREDITS FOR JOBS CREATED OR RETAINED. The treatment
7 of sections 71.07 (2dx) (b) 4., 71.28 (1dx) (b) 4., 71.47 (1dx) (b) 4. and 560.785 (1) (b)
8 (intro.), 1. and 2., (bm), (c) (intro.) and (e) of the statutes first applies to taxable years
9 beginning on January 1, 2000.

10 (2) MAKING AN EXCEPTION RELATED TO THE DEFINITION OF FULL-TIME JOB. The
11 treatment of section 560.785 (2) (c) of the statutes first applies to taxable years
12 beginning on January 1, 2000.

13 (3yt) RISK BASED ANALYSIS AND REIMBURSEMENT CHANGES TO PETROLEUM STORAGE
14 REMEDIAL ACTION PROGRAM. The treatment of section 101.143 (2e) (c), (3) (cp), (cs) and
15 (g) and (4) (c) 11. of the statutes first applies to a discharge with respect to which
16 activities under section 101.143 (3) (c) 3. or (g) of the statutes are begun on the
17 effective date of this subsection.

18 (3yu) PETROLEUM STORAGE REMEDIAL ACTION PROGRAM DEDUCTIBLES. The
19 treatment of section 101.143 (4) (d) 2. (intro.), (dg), (dm) 2. a. and c. and (ei) 2. of the
20 statutes first applies to a person who submits a remedial action plan, that is
21 acceptable to the department of commerce or the department of natural resources,
22 on November 1, 1999.

23 (3yv) PETROLEUM STORAGE REMEDIAL ACTION PROGRAM INTEREST REIMBURSEMENT.
24 The treatment of section 101.143 (4) (c) 8. of the statutes first applies to an applicant
25 whose loan is secured on November 1, 1999.

1 (3yvf) PETROLEUM STORAGE REMEDIAL ACTION FEE REIMBURSEMENT. The treatment
2 of section 101.143 (4) (c) 11. of the statutes first applies to fees that the department
3 of natural resources or the department of commerce charges on the effective date of
4 this subsection.

5 (4x) PRIVATE SEWAGE SYSTEM REPLACEMENT OR REHABILITATION GRANT PROGRAM.
6 The treatment of section 145.245 (4) (a) and (c), (4m) (a) to (c) and (d), (5) (a) 1. (by
7 SECTION 2221m), 2. (by SECTION 2223m) and 3., (5m) (a), (7) (d) and (11m) (am), (b)
8 and (c) of the statutes first applies to applications under section 145.245 (8) of the
9 statutes that are received by the department of commerce on the effective date of this
10 subsection.

11 (5t) APPLICATIONS FOR SEWAGE SYSTEM GRANTS. The treatment of section 145.245
12 (5) (a) 1. (by SECTION 2220) and 2. (by SECTION 2222) and (c) 2., 3. and 4. of the statutes
13 first applies to applications received by the department of commerce on
14 February 1, 2000.

15 (6bn) BROWNFIELDS AND GROUNDWATER CONTAMINATION GRANT CRITERIA. The
16 treatment of section 560.13 (title), (2) (a) 1. and 2. (intro.) and (6m) of the statutes
17 first applies to grants for which applications are submitted after April 16, 1999.

18 (6h) RECYCLING MARKET DEVELOPMENT BOARD CONTRACTS. If any contract under
19 section 287.42 (3) or (3m) of the statutes is in effect on the effective date of this
20 subsection, the treatment of sections 20.143 (1) (tm) and 287.42 (as it relates to the
21 duty of the recycling market development board to enter into contracts) of the
22 statutes first applies to that contract after the termination of the contract.

23 **SECTION 9311. Initial applicability; corrections.**

1 (1) CONTRACTS FOR DATA ENTRY OR TELEMARKETING SERVICES. The treatment of
2 section 301.029 of the statutes first applies to contracts entered into or renewed by
3 the department of corrections on the effective date of this subsection.

4 (3g) INELIGIBILITY FOR INTENSIVE SANCTIONS PROGRAM. The treatment of sections
5 301.048 (4) (a) and 973.032 (2) (b) of the statutes, the renumbering and amendment
6 of section 301.048 (2) of the statutes and the creation of section 301.048 (2) (bm) of
7 the statutes first apply to the placement of persons in or the sentencing of persons
8 to the intensive sanctions program on the effective date of this subsection.

9 (5xt) SECURED GROUP HOMES. The renumbering and amendment of section 48.66
10 (1) of the statutes, the amendment of sections 16.385 (7), 19.35 (1) (am) 2. c., 46.036
11 (4) (a), 48.02 (17), 48.48 (9), 48.48 (9m), 48.48 (10), 48.66 (2m) (a), 48.66 (2m) (am),
12 48.66 (2m) (b), 48.66 (2m) (bm), 48.68 (1), 48.69, 48.715 (1), 48.715 (2) (a), 48.715 (2)
13 (b), 48.715 (4) (intro.), 48.715 (5), 48.715 (6), 48.715 (7), 49.857 (1) (d) 3., 51.05 (2),
14 51.35 (3) (title), 51.35 (3) (a), 51.35 (3) (c), 51.35 (3) (e), 51.35 (3) (g), 73.0301 (1) (d)
15 2., 118.125 (4), 165.76 (1) (a) (by SECTION 2288g), 165.76 (2) (b) 2., 252.15 (1) (ab),
16 252.15 (2) (a) 7. a., 301.01 (2) (b), 301.01 (4), 301.027, 301.03 (10) (d), 301.03 (10) (e),
17 301.03 (10) (f), 301.08 (1) (b) 3., 301.205, 301.26 (4) (cm) 1., 301.26 (4) (cm) 2., 301.26
18 (4) (dt), 301.26 (7) (a) 3., 301.263 (3), 301.36 (1), 301.37 (1), 301.45 (1) (b), 301.45 (1)
19 (bm), 301.45 (3) (a) 2., 301.45 (5) (a) 2., 938.02 (15g), 938.02 (15m), 938.02 (17),
20 938.069 (1) (dj), 938.08 (3) (a) (intro.), 938.08 (3) (a) 1., 938.08 (3) (a) 2., 938.08 (3) (b),
21 938.17 (1) (c), 938.183 (1) (a), 938.208 (2), 938.22 (title), 938.22 (1) (a), 938.22 (1) (b),
22 938.22 (1) (c), 938.22 (2) (a), 938.22 (3) (a), 938.22 (3) (b), 938.22 (7) (a), 938.22 (7) (b),
23 938.22 (7) (c), 938.23 (1) (a), 938.33 (3) (intro.), 938.33 (3) (a), 938.33 (3r), 938.34 (4m)
24 (intro.), 938.34 (4n) (intro.), 938.34 (4n) (b), 938.34 (8d) (c), 938.345 (1) (a), 938.355
25 (1), 938.357 (3), 938.357 (4g) (a), 938.357 (4g) (b), 938.357 (4g) (d), 938.357 (5) (e),

1 938.357 (5) (f), 938.38 (3) (a), 938.51 (1) (intro.), 938.51 (1m), 938.51 (4) (intro.),
2 938.57 (1) (c), 938.57 (4), 938.78 (3), 939.635 (1), 939.635 (2) (b), 946.42 (1) (a), 946.44
3 (2) (c), 946.44 (2) (d), 946.45 (2) (c), 946.45 (2) (d), 968.255 (7) (b), 980.015 (2) (b),
4 980.02 (1) (b) 2., 980.02 (2) (ag), 980.02 (4) (am), 980.02 (4) (b) and 980.04 (1) of the
5 statutes and the creation of sections 51.01 (14k), 51.01 (14m), 51.01 (14p), 301.01
6 (3k), 301.01 (3m), 301.01 (3p), 301.08 (1) (b) 4. and 938.02 (15p) of the statutes first
7 apply to delinquent acts committed on the effective date of this subsection.

8 **SECTION 9315. Initial applicability; employe trust funds.**

9 (1e) STATE EMPLOYE GROUP HEALTH INSURANCE. The treatment of section 40.05
10 (4) (a) 2. of the statutes first applies to any teacher described under section 40.02 (25)
11 (b) 1m. of the statutes who is hired on the effective date of this subsection.

12 (1m) SOCIAL SECURITY COVERAGE. The treatment of section 40.41 (6) (b) and (c)
13 of the statutes first applies to services performed by a student in the employ of a
14 school, college or university specified in section 40.41 (6) (c) of the statutes on
15 July 1, 2000.

16 (1p) WISCONSIN RETIREMENT SYSTEM. The treatment of section 40.03 (2) (g) of the
17 statutes first applies to statements sent to participants in the Wisconsin retirement
18 system on the first day of the 7th month beginning after the effective date of this
19 subsection.

20 (2p) DEFERRED COMPENSATION PROGRAM. The treatment of section 40.82 (3) of the
21 statutes first applies to statements sent to individuals who participate in a deferred
22 compensation plan offered under subchapter VII of chapter 40 of the statutes on the
23 first day of the 7th month beginning after the effective date of this subsection.

24 **SECTION 9316. Initial applicability; employment relations commission.**

1 (1f) QUALIFIED ECONOMIC OFFERS; COST OF COMPENSATION AND FRINGE BENEFIT
2 INCREASES. The treatment of section 111.70 (1) (nc) 1. c. of the statutes first applies
3 to the calculation of the cost of compensation and fringe benefit increases for periods
4 of time beginning after June 30, 2001.

5 (3g) SUBMISSION OF QUALIFIED ECONOMIC OFFERS. The treatment of section 111.70
6 (1) (dm) and (4) (cm) 5s. of the statutes first applies to petitions for arbitration filed
7 under section 111.70 (4) (cm) 6. of the statutes relating to collective bargaining
8 agreements that cover periods of time beginning after June 30, 2001.

9 **SECTION 9317. Initial applicability; employment relations department.**

10 (3p) RECORDING OF HOURS WORKED DURING A PAY PERIOD. The treatment of section
11 230.04 (19m) of the statutes first applies to forms used by a state agency to record
12 hours worked by an employe for the pay period closest to the first day of the 7th
13 month beginning after the effective date of this subsection.

14 **SECTION 9318. Initial applicability; ethics board.**

15 (1gg) IDENTIFICATION OF BUDGET BILL SUBJECTS AND OTHER LOBBYING TOPICS. The
16 treatment of section 13.67 (1) of the statutes first applies with respect to lobbying
17 communications made on July 1, 2000.

18 (1gh) REPORTING CONCERNING BUDGET BILL SUBJECTS AND OTHER LOBBYING TOPICS.
19 The treatment of section 13.68 (1) (bn) of the statutes first applies with respect to the
20 reporting period under section 13.62 (12r) of the statutes beginning on July 1, 2000.

21 **SECTION 9319. Initial applicability; financial institutions.**

22 (1g) NONDEPOSITORY SMALL BUSINESS LENDERS. The creation of subchapter IV of
23 chapter 224 [precedes 224.90] of the statutes first applies to nondepository small
24 business lenders on the effective date of this subsection.

25 **SECTION 9323. Initial applicability; health and family services.**

1 (2) SUPERVISED RELEASE AND PERIODIC REEXAMINATION OF SEXUALLY VIOLENT
2 PERSONS.

3 (ag) *Initial commitment orders.* The treatment of sections 980.06 (1) and (2) (a),
4 (b) and (c) and 980.065 (1m) of the statutes first applies to initial commitment orders
5 in cases in which judgment is entered under section 980.05 (5) of the statutes on the
6 effective date of this paragraph.

7 (ah) *Interlocutory appeals.* The treatment of section 980.05 (6) of the statutes
8 first applies to cases in which judgment is entered under section 980.05 (5) of the
9 statutes on the effective date of this paragraph.

10 (b) *Periodic reexamination.* The treatment of section 980.07 (1) of the statutes
11 (with respect to the determination to be made at the time of reexamination) first
12 applies to examinations of a sexually violent person that occur on the effective date
13 of this paragraph.

14 (bg) *Petitions for supervised release.* The treatment of section 980.08 (1) of the
15 statutes first applies to persons committed under section 980.06 of the statutes, as
16 affected by this act, in cases in which judgment is entered under section 980.05 (5)
17 of the statutes on the effective date of this paragraph.

18 (bh) *Orders for supervised release.* The treatment of section 980.06 (2) (d) of the
19 statutes (with respect to the duties of the department of health and family services
20 under a supervised release order) first applies to orders for supervised release issued
21 under section 980.08 of the statutes, as affected by this act, on the effective date of
22 this paragraph.

23 (cg) *Revocation of supervised release.* The treatment of section 980.06 (2) (d)
24 of the statutes (with respect to time for submitting a statement showing probable

1 cause for a detention and a petition for revocation of supervised release) first applies
2 to detentions commencing on the effective date of this paragraph.

3 (ch) *Victim notification.* The treatment of sections 950.04 (1v) (xm) and 980.11
4 (2) (intro.) of the statutes first applies to the placement of a person on supervised
5 release under section 980.08 of the statutes, as affected by this act, on the effective
6 date of this paragraph.

7 (3) COMMUNITY-BASED RESIDENTIAL FACILITY CLIENT REFERRALS. The treatment of
8 section 50.035 (7) (c) of the statutes first applies to applications for admission to a
9 community-based residential facility made on the effective date of this subsection.

10 (4) ELIGIBILITY FOR COVERAGE UNDER THE HEALTH INSURANCE RISK-SHARING PLAN.
11 The renumbering and amendment of section 149.12 (2) (d) of the statutes and the
12 creation of section 149.12 (2) (d) 2. of the statutes (with respect to a person who has
13 coverage under the health insurance risk-sharing plan when he or she attains age
14 65) first apply to persons who attain age 65 on the effective date of this subsection.

15 (9) TRANSFER OF RADIATION INSTALLATION. The treatment of section 254.35 (2) of
16 the statutes first applies to transfers of radiation installations that are made 16 days
17 after the effective date of this subsection.

18 (10) FORFEITURES FOR RADIATION VIOLATIONS. The treatment of section 254.45 of
19 the statutes first applies to violations committed on the effective date of this
20 subsection.

21 (11) ESTATE RECOVERY.

22 (a) The treatment of section 49.496 (2) (title), (a), (b) 3., (c) 1., (f) 3. and 4. and
23 (h) of the statutes first applies with respect to an individual who received medical
24 assistance on the effective date of this paragraph.

1 (b) The treatment of section 49.496 (3) (a) 2. d. of the statutes first applies with
2 respect to services provided under section 49.46 (2) (b) 6. j. of the statutes on the
3 effective date of this paragraph.

4 (11m) CONSOLIDATED CONTRACTS. The treatment of section 46.036 (8) of the
5 statutes first applies to contracts entered into on the effective date of this subsection.

6 (11t) LEAD SCREENING PERFORMANCE STANDARDS. The treatment of section 49.45
7 (22) of the statutes first applies to contracts that take effect on January 1, 2000.

8 (12g) SPECIAL NEEDS ADOPTION. The treatment of section 48.833 (3) of the
9 statutes first applies to children who are placed for adoption on the effective date of
10 this subsection.

11 (12h) PERMANENCY PLANS. The treatment of section 48.38 (4) (dm) of the
12 statutes, the amendment of section 48.38 (4) (d) of the statutes and the creation of
13 section 48.38 (4) (d) 1m. of the statutes first apply to permanency plans filed on the
14 effective date of this subsection.

15 (12t) MEDICAL ASSISTANCE DIVESTMENT. The treatment of section 49.453 (4)
16 (title), (am) and (c) of the statutes, the renumbering and amendment of section
17 49.453 (4) (a) of the statutes and the creation of section 49.453 (4) (a) 1. and 2. of the
18 statutes first apply to transfers made on the effective date of this subsection.

19 (12z) HEALTH INSURANCE RISK-SHARING PLAN.

20 (a) The treatment of sections 149.14 (2) (a), (3) (d), (4) (n), (4c) (b), (5) (title) and
21 (e) and (8) (a) and 149.17 (2) of the statutes first applies to policies issued or renewed
22 on January 1, 2000.

23 (b) The treatment of section 149.145 of the statutes (as it relates to requiring
24 board approval of the program budget) first applies to the program budget
25 established for fiscal year 2000–01.

1 (c) The treatment of section 149.16 (5) of the statutes first applies to contracts
2 entered into on the effective date of this paragraph.

3 (d) The treatment of section 149.165 (2) (e) of the statutes first applies to
4 premiums payable under policies issued or renewed on the effective date of this
5 paragraph.

6 (13f) INCOME AUGMENTATION ACTIVITIES. The treatment of sections 20.435 (8)
7 (mb) and 46.46 (1) of the statutes first applies to income augmentation activities
8 performed under section 46.46 (1) of the statutes on the effective date of this
9 subsection, but does not affect any contract to perform income augmentation
10 activities under section 46.46 (1), 1997 stats., entered into before the effective date
11 of this subsection.

12 (13z) ALCOHOL AND OTHER DRUG TESTING OF MINORS. The treatment of section
13 51.48 of the statutes first applies to a minor who is tested for the presence of alcohol
14 or other drugs in the minor's body on the effective date of this subsection.

15 (14g) CONFIDENTIALITY OF ABUSE AND NEGLECT REPORTS AND RECORDS. The
16 treatment of section 48.981 (7) (b) of the statutes first applies to abuse and neglect
17 reports and records, as defined in section 48.981 (1) (f) of the statutes, that are
18 disclosed on the effective date of this subsection.

19 **SECTION 9325. Initial applicability; Housing and Economic**
20 **Development Authority.**

21 (1g) FARM ASSETS REINVESTMENT MANAGEMENT LOAN GUARANTEES. The treatment
22 of section 234.91 (5) (a) of the statutes first applies to loans, the collection of which
23 is guaranteed on the effective date of this subsection.

24 **SECTION 9326. Initial applicability; insurance.**

25 (1m) REFERRALS FOR OBSTETRIC OR GYNECOLOGIC SERVICES.

1 (a) Except as provided in paragraph (b), if a policy or certificate that is affected
2 by the treatment of sections 609.05 (2) and (3) and 609.22 (4m) of the statutes
3 contains terms or provisions that are inconsistent with the treatment of sections
4 609.05 (2) and (3) and 609.22 (4m) of the statutes, the treatment of sections 609.05
5 (2) and (3) and 609.22 (4m) of the statutes first applies to that policy or certificate
6 upon renewal.

7 (b) The treatment of sections 609.05 (2) and (3) and 609.22 (4m) of the statutes
8 first applies to policies and group certificates covering employees who are affected by
9 a collective bargaining agreement containing provisions that are inconsistent with
10 the treatment of sections 609.05 (2) and (3) and 609.22 (4m) of the statutes that are
11 issued or renewed on the earlier of the following:

12 1. The day on which the collective bargaining agreement expires.

13 2. The day on which the collective bargaining agreement is extended, modified
14 or renewed.

15 (2n) COPAYS FOR COVERAGE OF ALCOHOLISM AND OTHER DISEASES. The treatment
16 of section 632.89 (2) (a) 2., (b) 1., (c) 2. b., (d) 2. and (dm) 2. of the statutes first applies
17 to policies issued or renewed on the effective date of this subsection.

18 (4g) POINT-OF-SERVICE OPTION PLANS. The treatment of sections 40.05 (4) (ag) 2.,
19 111.91 (2) (r) and 609.10 (title), (1) (a), (ac), (b) and (c), (2) and (6) and 609.20 (3) and
20 (4) of the statutes, the renumbering and amendment of section 609.10 (3) of the
21 statutes and the creation of section 609.10 (3) (b) of the statutes first apply to all of
22 the following:

23 (a) Except as provided in paragraph (b), health maintenance organizations and
24 preferred provider plans that are issued or renewed on the effective date of this
25 paragraph.

1 (b) Health maintenance organizations and preferred provider plans covering
2 employes who are affected by a collective bargaining agreement containing
3 provisions inconsistent with the treatment of sections 40.05 (4) (ag) 2., 111.91 (2) (r)
4 and 609.10 (title), (1) (a), (ac), (b) and (c), (2) and (6) and 609.20 (3) and (4) of the
5 statutes, the renumbering and amendment of section 609.10 (3) of the statutes and
6 the creation of section 609.10 (3) (b) of the statutes that are issued or renewed on the
7 earlier of the following:

8 1. The day on which the collective bargaining agreement expires.

9 2. The day on which the collective bargaining agreement is extended, modified
10 or renewed.

11 **SECTION 9336. Initial applicability; natural resources.**

12 (1) WILD ANIMAL FARM LICENSE FEES AND SURCHARGES. The treatment of section
13 29.563 (9) (a) 2., 3., 5. and 10., (b) and (c) of the statutes first applies to licenses issued
14 on the effective date of this subsection.

15 (1k) HAZARDOUS WASTE GENERATOR FEE. The treatment of section 289.67 (2) (b)
16 1. and 2. of the statutes first applies to fees assessed on May 1, 2000.

17 (2) BONUS DEER HUNTING PERMITS. The treatment of sections 29.181 (2m), 29.559
18 (1r) and 29.563 (14) (c) 4. of the statutes first applies to bonus deer hunting permits
19 issued on the effective date of this subsection.

20 (4) SNOWMOBILE TRAIL USE STICKERS. The treatment of section 350.12 (3j) (b) of
21 the statutes first applies to snowmobile trail use stickers issued on the effective date
22 of this subsection.

23 (5) BOAT CERTIFICATION AND REGISTRATION PERIODS. The treatment of section
24 30.52 (2) and (3) (b), (c), (d), (e), (f), (fm), (h), (i) and (im) of the statutes first applies

1 to certificates of number or registration issued or renewed on the effective date of this
2 subsection.

3 (9c) WILD TURKEY HUNTING LICENSES. The treatment of section 29.164 (3) (ci) and
4 (cm) of the statutes first applies to wild turkey hunting licenses issued on the
5 effective date of this subsection.

6 (9d) TIMBER SALES. The treatment of sections 28.05 (2), 28.11 (6) (b) 1. and 28.22
7 of the statutes first applies to timber sales occurring on the effective date of this
8 subsection.

9 **SECTION 9339. Initial applicability; public instruction.**

10 (2) INTERDISTRICT TRANSFER PUPILS AND REVENUE LIMITS. The treatment of
11 sections 121.004 (7) (a) (intro.) and (f), 121.05 (1) (a) 11. and 121.85 (6) (a) 2., (b) 1.
12 and (f) of the statutes first applies to the distribution of state aid in, and to the
13 revenue limits for, the 2000–01 school year.

14 (3) DISTRIBUTION OF SCHOOL AID AND REVENUE LIMITS. The treatment of sections
15 121.07 (7) (b), 121.105 (2) (a) 1., 121.90 (2) (intro.), 121.905 (3) (a) 1., 121.91 (3) (d)
16 and 121.92 (title), (1) and (2) (a), (b) and (e) of the statutes, the renumbering and
17 amendment of section 121.905 (4) of the statutes and the creation of section 121.905
18 (4) (b) 2. of the statutes first apply to the distribution of school aid in, and to the
19 revenue limits for, the 1999–2000 school year.

20 (4) HANDICAPPED EDUCATION AID REIMBURSEMENT.

21 (a) The treatment of sections 115.88 (1m) (a) and (b) and (2), 115.882, 115.93
22 (1) and (2) and 118.255 (4) of the statutes first applies to state aid paid in the
23 1999–2000 school year.

24 (b) The treatment of section 115.88 (1m) (am) and (2m) of the statutes first
25 applies to state aid paid in the 2000–01 school year.

1 (4g) SCHOOL PERFORMANCE REPORTS. The renumbering and amendment of
2 section 115.38 (1) (b) of the statutes and the creation of section 115.38 (1) (b) 2. of the
3 statutes first apply to reports required, under section 115.38 (2) of the statutes, to be
4 distributed by January 1, 2002.

5 (5) STATE AID CALCULATION. The treatment of sections 121.05 (1) (a) 4. and 9. and
6 121.07 (1) (a) of the statutes first applies to state aid distributed in the 1999–2000
7 school year.

8 (6j) SUMMER CLASSES; MILWAUKEE PARENTAL CHOICE PROGRAM. The treatment of
9 section 121.004 (8) of the statutes, the renumbering and amendment of section
10 119.23 (1) of the statutes and the creation of section 119.23 (1) (b) and (c), (4) (a) and
11 (4m) of the statutes first apply to payments made for academic summer classes and
12 laboratory periods attended in 1999.

13 (7c) MILWAUKEE PARENTAL CHOICE PROGRAM. The treatment of section 119.23 (2)
14 (a) 1. of the statutes first applies to pupils who attend a private school under section
15 119.23 of the statutes in the 1998–99 school year.

16 (7h) STATE AID; MILWAUKEE PARENTAL CHOICE PROGRAM AND MILWAUKEE CHARTER
17 SCHOOLS. The treatment of section 121.08 (4) of the statutes first applies to state aid
18 distributed in the 1999–2000 school year.

19 (7x) SCHOOL BREAKFAST PROGRAM. The treatment of sections 20.255 (2) (cm) and
20 115.341 of the statutes first applies to the distribution of school breakfast program
21 aid in the school year beginning after the effective date of this subsection.

22 (8c) COMPENSATION AND FRINGE BENEFIT INCREASES FOR NONREPRESENTED
23 PROFESSIONAL SCHOOL DISTRICT EMPLOYEES. The treatment of section 118.245 (3) of the
24 statutes first applies to the calculation of the cost of compensation and fringe benefit
25 increases for periods of time beginning after June 30, 2001.

1 **SECTION 9341. Initial applicability; public service commission.**

2 (1g) TARIFF FILINGS. The treatment of sections 196.19 (1m) (b) and (e) and 196.77
3 of the statutes first applies to tariffs filed on the effective date of this subsection.

4 (1m) OFFICE OF THE COMMISSIONER OF RAILROADS. The treatment of section
5 189.02 (7) of the statutes first applies to personnel or budget requests submitted to
6 the public service commission on the effective date of this subsection.

7 (1zt) HIGH-VOLTAGE TRANSMISSION LINES. The treatment of section 196.491 (3)
8 (d) 3r. and 3t. of the statutes first applies to applications for certificates of public
9 convenience and necessity that are filed with the public service commission on the
10 effective date of this subsection.

11 **SECTION 9342. Initial applicability; regulation and licensing.**

12 (2) HEARING INSTRUMENT SPECIALIST LICENSES. The treatment of sections 440.08
13 (2) (a) 38. and 459.09 of the statutes first applies to hearing instrument specialist
14 licenses that expire on February 1, 2000.

15 (2g) DISCLOSURES AND REPRESENTATIONS FOR CERTAIN SALES. The treatment of
16 section 440.947 of the statutes first applies to sales or offers to sell that are made on
17 the effective date of this subsection.

18 **SECTION 9343. Initial applicability; revenue.**

19 (1) HOMESTEAD CREDIT, WISCONSIN WORKS. The treatment of section 71.54 (2) (a)
20 (intro.) of the statutes first applies to taxable years beginning on January 1 of the
21 year in which this subsection takes effect, except that if this subsection takes effect
22 after July 31, the treatment of section 71.54 (2) (a) (intro.) of the statutes first applies
23 to taxable years beginning on January 1 of the year following the year in which this
24 subsection takes effect.

1 (1g) DEVELOPMENT ZONES INVESTMENT CREDIT IN DEVELOPMENT OPPORTUNITY
2 ZONES.

3 (a) The treatment of sections 71.07 (2di) (a) (intro.) and 1., (d) 1., (f), (g) and (i),
4 71.28 (1di) (a) (intro.) and 1., (d) 1., (f), (g) and (j), 71.47 (1di) (a) (intro.) and 1., (d)
5 1., (f), (g) and (i), 560.70 (7) and 560.795 (3) (d) of the statutes first applies to taxable
6 years beginning on January 1, 2000.

7 (b) The treatment of sections 71.07 (2dx) (b) (intro.), (c) and (d), 71.28 (1dx) (b)
8 (intro.), (c) and (d) and 71.47 (1dx) (b) (intro.), (c) and (d) of the statutes first applies
9 to taxable years beginning on January 1, 1999.

10 (1zt) TRANSMISSION COMPANY LICENSE FEE. The treatment of sections 76.28 (1)
11 (d), (e) (intro.) and 5. and (j) and (2) (c) (intro.), (d) and (e) and 196.485 (1) (ge) of the
12 statutes first applies to taxable years beginning on January 1 of the year in which
13 this subsection takes effect, except that if this subsection takes effect after July 31
14 the treatment of sections 76.28 (1) (d), (e) (intro.) and 5. and (j) and (2) (c) (intro.), (d)
15 and (e) of the statutes first applies to taxable years beginning on January 1 of the
16 year following the year in which this subsection takes effect.

17 (2) DEVELOPMENT ZONES JOBS CREDIT, CERTIFICATION REQUIREMENT. The treatment
18 of sections 71.07 (2dj) (am) 3., 71.28 (1dj) (am) 3. and 71.47 (1dj) (am) 3. of the statutes
19 first applies to taxable years beginning on January 1 of the year in which this
20 subsection takes effect, except that if this subsection takes effect after July 31 the
21 treatment of sections 71.07 (2dj) (am) 3., 71.28 (1dj) (am) 3. and 71.47 (1dj) (am) 3.
22 of the statutes first applies to taxable years beginning on January 1 of the year
23 following the year in which this subsection takes effect.

24 (2g) INCOME AND FRANCHISE TAX RETURN; ENDANGERED RESOURCES DONATION. The
25 treatment of sections 20.370 (1) (fs), 20.566 (1) (hp), 25.29 (1) (a) and 71.30 (10) of the

1 statutes (as it relates to an endangered resources donation designation on a
2 corporate income and franchise tax return) first applies to taxable years beginning
3 on January 1, 2001.

4 (3) TUITION EXPENSE DEDUCTION, LIMITATIONS AND PRORATION. The treatment of
5 section 71.05 (6) (b) 28. f. of the statutes first applies to taxable years beginning on
6 January 1 of the year in which this subsection takes effect, except that if this
7 subsection takes effect after July 31 the treatment of section 71.05 (6) (b) 28. f. of the
8 statutes first applies to taxable years beginning on January 1 of the year following
9 the year in which this subsection takes effect.

10 (4) ITEMIZED DEDUCTION CREDIT, EDUCATIONAL EXPENSES. The treatment of section
11 71.07 (5) (a) 8. of the statutes first applies to taxable years beginning on January 1
12 of the year in which this subsection takes effect, except that if this subsection takes
13 effect after July 31 the treatment of section 71.07 (5) (a) 8. of the statutes first applies
14 to taxable years beginning on January 1 of the year following the year in which this
15 subsection takes effect.

16 (5) TREATMENT OF DEDUCTIONS FOR REPAYMENTS OF SUPPLEMENTAL UNEMPLOYMENT
17 COMPENSATION FOR NONRESIDENTS. The treatment of section 71.05 (6) (a) 12. of the
18 statutes (as it relates to repayments of supplemental unemployment compensation)
19 first applies to taxable years beginning on January 1 of the year in which this
20 subsection takes effect, except that if this subsection takes effect after July 31 the
21 treatment of section 71.05 (6) (a) 12. of the statutes (as it relates to repayments of
22 supplemental unemployment compensation) first applies to taxable years beginning
23 on January 1 of the year following the year in which this subsection takes effect.

1 (6) REFUND TO INDIAN TRIBES OF CIGARETTE TAXES. The treatment of sections
2 139.323 (intro.) and 139.325 of the statutes first applies to taxes imposed on the first
3 day of the 2nd month commencing after the effective date of this subsection.

4 (7) CHANGE OF TOBACCO PRODUCTS TAX TO EXCISE TAX. The treatment of sections
5 139.76 (1) and (2), 139.803, 139.805 and 139.82 (8) of the statutes first applies to
6 claims for refunds of tobacco product taxes filed and to tobacco product taxes imposed
7 on the first day of the 2nd month commencing after the effective date of this
8 subsection.

9 (7c) MASS TRANSIT FRINGE BENEFIT EXCLUSION. The treatment of section 71.05 (6)
10 (b) 31. of the statutes first applies to taxable years beginning on January 1 of the year
11 following the year in which this subsection takes effect.

12 (8) SALES AND USE TAX LATE FILING FEE. The treatment of section 77.60 (2) (intro.)
13 of the statutes first applies to returns that are filed for periods beginning after
14 September 30, 1999.

15 (9) INCOME TAX REFUNDS; FORMERLY MARRIED PERSONS. The treatment of section
16 71.75 (8) of the statutes first applies to a judgment of divorce that is entered on the
17 effective date of this subsection.

18 (13) TRANSFER OF CONTAMINATED LANDS. The treatment of section 75.17 of the
19 statutes first applies to land for which a tax certificate is issued on the effective date
20 of this subsection.

21 (13g) CHANGES TO METHOD OF TAXING CERTAIN TRUSTS. The treatment of sections
22 71.02 (1) and 71.14 (3) (intro.) and (3m) of the statutes first applies to taxable years
23 beginning on January 1, 1999.

24 (14g) LOTTERY AND GAMING CREDIT. The treatment of section 79.10 (10) (bn) of
25 the statutes first applies to the property tax assessments as of January 1, 1999.

1 (16) COLLECTED TAXES RETAINED BY THE STATE. The treatment sections 20.835 (4)
2 (g) and 77.76 (3) and (4) of the statutes first applies to the distribution of county sales
3 tax revenues to counties on the first day of the first month beginning after
4 publication.

5 (20) MODIFICATION OF THE INDIVIDUAL INCOME TAX SYSTEM. The treatment of
6 sections 71.01 (16), 71.05 (6) (b) 29. and 71.07 (5) (a) 7. of the statutes first applies
7 to taxable years beginning on January 1, 2000.

8 (20tx) INCOME TAX FILING THRESHOLDS. The treatment of section 71.03 (2) (a) 1.
9 of the statutes first applies to taxable years beginning on January 1 of the year in
10 which this subsection takes effect, except that if this subsection takes effect on or
11 after October 1 this act first applies to taxable years beginning on January 1 of the
12 year following the year in which this subsection takes effect.

13 (20ty) ARMED FORCES MEMBER TAX CREDIT. The treatment of sections 71.07 (6m),
14 71.08 (1) (intro.) (as it relates to the armed forces member tax credit) and 71.10 (4)
15 (cm) of the statutes first applies to taxable years that begin on January 1, 2000.

16 (22c) SUSTAINABLE URBAN DEVELOPMENT ZONE CREDIT. The treatment of sections
17 71.05 (6) (a) 15., 71.07 (2dy), 71.08 (1) (intro.) (as it relates to the sustainable urban
18 development zone credit), 71.10 (4) (gv), 71.21 (4), 71.26 (2) (a), 71.28 (1dy), 71.30 (3)
19 (eon), 71.34 (1) (g), 71.45 (2) (a) 10., 71.47 (1dy) and 71.49 (1) (eon) of the statutes first
20 applies to taxable years beginning on January 1 of the year in which this subsection
21 takes effect except that if this subsection takes effect after July 31 the treatment of
22 sections 71.05 (6) (a) 15., 71.07 (2dy), 71.08 (1) (intro.), 71.10 (4) (gv), 71.21 (4), 71.26
23 (2) (a), 71.28 (1dy), 71.30 (3) (eon), 71.34 (1) (g), 71.45 (2) (a) 10., 71.47 (1dy) and 71.49
24 (1) (eon) of the statutes first applies to taxable years beginning on January 1 of the
25 year following the year in which this subsection takes effect.

1 (22d) DEVELOPMENT ZONES CREDIT. The treatment of sections 71.07 (2dx) (b)
2 (intro.), 71.28 (1dx) (b) (intro.) and 71.47 (1dx) (b) (intro.) of the statutes first applies
3 to taxable years beginning on January 1 of the year in which this subsection takes
4 effect except that if this subsection takes effect after July 31 the treatment of sections
5 71.07 (2dx) (b) (intro.), 71.28 (1dx) (b) (intro.) and 71.47 (1dx) (b) (intro.) of the
6 statutes first applies to taxable years beginning on January 1 of the year following
7 the year in which this subsection takes effect.

8 (22dd) ACTIVITIES THAT DO NOT CREATE NEXUS. The treatment of section 71.23 (3)
9 (d) of the statutes first applies to taxable years beginning on January 1, 2000.

10 (22f) TRANSITIONAL ADJUSTMENT FEE CREDIT. The treatment of section 76.91 (1m)
11 of the statutes first applies retroactively to transitional adjustment fees paid in May
12 1998.

13 (22fd) TAXABLE SERVICES. The treatment of sections 71.04 (7) (dr) and 71.25 (9)
14 (dr) of the statutes first applies to taxable years beginning on January 1, 2000.

15 (22md) RECYCLING FEE. The treatment of section 79.05 (2) (c) of the statutes first
16 applies to distribution payments that are due on the 4th Monday in July, 2000.

17 (22t) PARTNERSHIPS AND LIMITED LIABILITY COMPANIES. The treatment of sections
18 71.22 (1r), 71.23 (1), 71.25 (5) (a) (intro.) and (15), 71.26 (3) (L), 71.43 (1) and 71.45
19 (6) of the statutes first applies to taxable years beginning on January 1, 1999.

20 (22tm) PER ACRE VALUE GUIDELINES. The treatment of section 73.03 (2a) of the
21 statutes first applies to per acre value guidelines related to the property tax
22 assessments as of January 1, 2000.

23 (22tx) DIGITAL BROADCASTING EQUIPMENT. The treatment of section 70.111 (25)
24 of the statutes first applies to the property tax assessment as of January 1, 2000.

1 (23am) AGRICULTURAL USE VALUE. The treatment of sections 70.32 (2) (c) 1. and
2 74.48 (2) and (3) of the statutes, the renumbering of 74.48 (1) of the statutes and the
3 creation of 74.48 (1) (b) of the statutes first apply to property that is assessed as of
4 January 1, 2000.

5 (23b) MOTION PICTURE THEATER EQUIPMENT. The treatment of section 70.111 (24)
6 of the statutes first applies to the property tax assessments as of January 1, 2000.

7 (23c) AD VALOREM TAXPAYERS, COMPUTER EXEMPTIONS. The treatment of sections
8 70.11 (39), 76.025 (1) and 76.03 (1) of the statutes first applies to the property tax
9 assessments as of January 1, 2000.

10 (23cm) SITUS OF LOTTERY INCOME. The treatment of sections 71.04 (1) (a) and (9),
11 71.05 (6) (b) 9., 71.23 (1) and (2), 71.25 (5) (b), 71.26 (1) (a), 71.362 (1) and (2), 71.43
12 (1) and (2), 71.45 (1), (2) (a) 15. and (3r), 71.46 (3) and 71.67 (4) (a) of the statutes first
13 applies to taxable years beginning on January 1, 1999.

14 (23em) RECYCLING SURCHARGE. The treatment of sections 77.92 (4) and (4r),
15 77.93 (intro.), (1) and (4), 77.94 (1) (intro.), (a), (b) and (c), (3) and (4), 77.945 and 77.96
16 (6), chapter 77 (title) and subchapter VII (title) of chapter 77 of the statutes first
17 applies to taxable years beginning after December 31, 1999.

18 (23g) ELECTRICITY SOLD FOR FARMING. The treatment of section 77.54 (30) (a) 3.
19 of the statutes first applies to electricity sold for use in farming on May 1, 2000.

20 (23h) PROPERTY TAX EXEMPTION REPORT FILING FEE. The treatment of section
21 70.337 (5) of the statutes first applies to filing fees that are due on March 31, 2000.

22 (23v) DEPRECIATION DEDUCTIONS. The treatment of sections 71.01 (7r), 71.26 (3)
23 (y), 71.365 (1m) and 71.45 (2) (a) 13. of the statutes first applies to property placed
24 in service in taxable years beginning on January 1, 1999.

1 (23w) DRY CLEANING FEES. The treatment of section 77.9961 (1) and (2) of the
2 statutes, the renumbering of section 77.9961 (4) of the statutes and the creation of
3 section 77.9961 (4) (b) of the statutes (as it relates to instalment payments) first
4 apply to a license fee instalment payment that is due on April 25, 2000.

5 (23x) INTERNAL REVENUE CODE. The treatment of sections 71.01 (6) (e), (f), (g), (h),
6 (i), (j), (k), (L), (m) and (n), 71.22 (4) (e), (f), (g), (h), (i), (j), (k), (L), (m) and (n) and (4m)
7 (c), (d), (e), (f), (g), (h), (i), (j), (k) and (L), 71.26 (2) (b) 5., 6., 7., 8., 9., 10., 11., 12., 13.
8 and 14., 71.34 (1g) (e), (f), (g), (h), (i), (j), (k), (L), (m) and (n) and 71.42 (2) (d), (e), (f),
9 (g), (h), (i), (j), (k), (L) and (m) of the statutes first applies on the dates that the change
10 to the Internal Revenue Code made by Public Laws 105–178, 105–206 and 105–277
11 applies for federal income tax purposes.

12 **SECTION 9347. Initial applicability; technical college system.**

13 (1) STATEWIDE GUIDE. The treatment of sections 20.292 (1) (d) and 38.28 (2) (b)
14 5. of the statutes first applies to state aid paid in the 1999–2000 fiscal year.

15 **SECTION 9349. Initial applicability; tourism.**

16 (1m) CONFIDENTIALITY OF CUSTOMER LISTS. The treatment of section 41.11 (4m)
17 of the statutes first applies to requests for information from customer lists that are
18 received on the effective date of this subsection.

19 **SECTION 9350. Initial applicability; transportation.**

20 (1) CAMPING TRAILER REGISTRATION FEES. The treatment of section 341.25 (1) (gd)
21 and (i) of the statutes first applies to applications that are submitted to the
22 department of transportation on January 1, 2000.

23 (2) LATE PAYMENT FEES FOR TELEPHONIC MOTOR TRUCK REGISTRATION. The
24 treatment of section 341.19 (1) (b) of the statutes first applies to fees owed for using

1 the telephone call-in procedure under section 341.19 of the statutes on the effective
2 date of this subsection.

3 (2m) TRANSPORTATION PROJECT COMMISSION REVIEW. The treatment of section
4 13.489 (1m) (e) of the statutes first applies to major highway projects for which the
5 department of transportation commences preliminary engineering or design work or
6 studies on April 1, 2000.

7 (4) SERVICE-OF-PROCESS FEES. The treatment of section 345.09 (2) of the statutes
8 first applies to processes and notices served upon the secretary of transportation
9 under section 345.09 (1) of the statutes on the effective date of this subsection.

10 (4g) INSTRUCTIONAL PERMITS AND PROBATIONARY LICENSES.

11 (a) The treatment of sections 343.085 (2m) and 343.32 (2) (bc) of the statutes,
12 the renumbering and amendment of section 343.085 (1) and 343.32 (2) (c) of the
13 statutes and the creation of sections 343.085 (1) (b) and 343.32 (2) (c) 2. of the statutes
14 first apply to licenses and permits applied for on the effective date of this paragraph.

15 (b) The treatment of sections 343.06 (1) (cm), 343.07 (1) (a), (b), (bm) and (c) and
16 (3) and 343.21 (1) (i) and (ir) of the statutes first applies to licenses and permits
17 applied for on the effective date of this paragraph.

18 (4h) OPERATORS' LICENSES ISSUED TO CHILDREN UNDER 18 YEARS OF AGE. The
19 treatment of section 343.17 (3) (a) 13. of the statutes first applies to licenses issued
20 on January 1, 2000, or on the day after the effective date of this subsection,
21 whichever is later.

22 (4md) FULLY ALLOCATED COST METHODOLOGY.

23 (a) The treatment of section 85.20 (8) of the statutes first applies to bids
24 solicited on the effective date of the emergency rules promulgated under SECTION
25 9150 (2bm) (b) of this act.

1 (b) The treatment of section 85.20 (1) (g) of the statutes first applies to services
2 contracted under a bid solicited on the effective date of the emergency rules
3 promulgated under SECTION 9150 (2bm) (b) of this act.

4 (4mg) LOCAL ROADS IMPROVEMENT PROGRAM. The treatment of sections 86.31 (2)
5 (b) and (d) 1., 1m., 2. and 3. and (6) (g) and (h) of the statutes, the renumbering and
6 amendment of section 86.31 (2) (d) 5. of the statutes and the creation of section 86.31
7 (2) (d) 5. a. and b. of the statutes first apply to bids that are solicited and to work
8 performed by county highway departments on the effective date of the emergency
9 rules promulgated under SECTION 9350 (2bgm) (b) of this act.

10 (4t) LOCAL SEGREGATED ACCOUNT.

11 (a) The treatment of section 86.30 (11) (a) (intro.) and (b) of the statutes first
12 applies to aids payable under section 86.30 of the statutes, as affected by this act, for
13 calendar year 2001.

14 (b) The treatment of section 86.30 (11) (a) 2. of the statutes first applies to
15 moneys received or allocated for local highway purposes on January 1, 2001.

16 (c) The treatment of section 85.20 (6m) (a) (intro.) and (b) of the statutes first
17 applies to aids payable for calendar year 2001 under a contract under section 85.20
18 of the statutes.

19 (d) The treatment of section 85.20 (6m) (a) 2. of the statutes first applies to
20 moneys received or allocated for a mass transit system, as defined in section 85.20
21 (1) (e) of the statutes, on January 1, 2001.

22 (4z) TRANSPORTATION ENHANCEMENT ACTIVITY AND SURFACE TRANSPORTATION
23 DISCRETIONARY GRANTS. The treatment of sections 85.026 (3) and 85.243 (2) (a) and
24 (ar) of the statutes first applies to grants awarded during the 2001–03 fiscal
25 biennium.

1 (5) DRIVING SKILLS TEST FEE. The treatment of section 343.21 (2) of the statutes
2 first applies to applications for an operator's license or endorsement submitted to the
3 department of transportation on December 1, 1999.

4 (8) GENERAL TRANSPORTATION AIDS; TRAFFIC POLICE COSTS. The treatment of
5 section 86.303 (6) (c) 4. and (cm) of the statutes first applies to aids payable in
6 calendar year 2000.

7 (9) URBAN MASS TRANSIT OPERATING ASSISTANCE PROGRAM. The treatment of
8 section 85.20 (4m) (a) (intro.) of the statutes first applies to aid allocations or aid
9 contracts for urban mass transit system operating expenses for calendar year 2000.

10 (10c) WEIGHT LIMITS FOR MILK TRUCKS. The treatment of section 348.15 (3) (bg)
11 of the statutes first applies to motor vehicles operated on the effective date of this
12 subsection.

13 (10d) SALVAGE VEHICLE TITLES. The treatment of sections 342.07 (1) and (2) (a),
14 342.15 (2), (3) and (6) and 342.16 (1) (a), (c) and (d) of the statutes act first applies
15 to salvage vehicles acquired by a dealer on the effective date of this subsection.

16 (11g) SUSPENSION OF OPERATING PRIVILEGES FOR FAILURE TO PAY CERTAIN
17 FORFEITURES. The treatment of sections 345.47 (1) (b), 800.09 (1) (c), 800.095 (4) (b)
18 4., 938.17 (2) (d), 938.34 (8) and 938.343 (2) of the statutes first applies to forfeitures
19 imposed on the first day of the second month beginning after publication.

20 **SECTION 9351. Initial applicability; treasurer.**

21 (1g) UNCLAIMED PROPERTY. The renumbering of section 177.01 (10) of the
22 statutes and the creation of section 177.01 (10) (b) of the statutes first apply to credit
23 balances issued by a business association on January 1, 1998.

24 **SECTION 9355. Initial applicability; veterans affairs.**

1 (1) MORTGAGE LOANS. The treatment of section 45.76 (1) (c) of the statutes first
2 applies to applications received by the county veterans' service officer on the effective
3 date of this subsection.

4 **SECTION 9357. Initial applicability; workforce development.**

5 (3) ASSIGNMENT OF RECEIVING AND DISBURSING FEES. The treatment of sections
6 767.265 (1), (2h) (by SECTION 3059) and (2r) and 767.29 (1) (d) (intro.), 1. and 2. of the
7 statutes and the amendment of section 767.265 (1m) of the statutes first apply to
8 annual receiving and disbursing fees that are ordered on the effective date of this
9 subsection.

10 (4) INCOME CALCULATION. The treatment of sections 49.145 (3) (b) 2. and 49.155
11 (1m) (b) 3. and (c) 1g. and 1h., the renumbering and amendment of section 49.155
12 (1m) (c) 1. of the statutes and the creation of section 49.155 (1m) 1. a. and b. of the
13 statutes first applies to the calculation of the income of a person who applies for the
14 Wisconsin works program on the effective date of this subsection.

15 (5) FINANCIAL PLANNING SERVICES. The treatment of section 49.143 (2) (cr) of the
16 statutes first applies to contracts entered into or renewed on the effective date of this
17 subsection.

18 (6) BASIC EDUCATION UNDER WISCONSIN WORKS. The treatment of section 49.147
19 (1m) of the statutes first applies to contracts to administer Wisconsin works that are
20 entered into or renewed on the effective date of this subsection.

21 (6d) PERFORMANCE BONUSES. The treatment of section 49.143 (3g) of the statutes
22 first applies with respect to contracts to administer Wisconsin works that have a
23 term beginning on January 1, 2002.

24 (7g) STATEWIDE ADVISORY GROUP. The treatment of section 49.143 (1) (am) 1. and
25 (3) of the statutes (with respect to consulting with a statewide advisory group) first

1 applies to performance standards established for Wisconsin works agency contracts
2 having a term beginning on January 1, 2002.

3 (8g) RETURN OF BENEFITS WITHHELD. The treatment of section 49.143 (2) (ct) of
4 the statutes first applies to contracts having a term that begins on January 1, 2000.

5 (9c) DISTRIBUTION OF WISCONSIN WORKS BENEFIT AND SERVICE DESCRIPTION. The
6 treatment of section 49.143 (2) (es) of the statutes, as created by this act, first applies
7 to contracts entered into or renewed on the effective date of this subsection.

8 (9yo) CUSTODY AND PHYSICAL PLACEMENT IN ACTIONS AFFECTING THE FAMILY.

9 (a) The treatment of sections 20.921 (2) (a), 66.184, 102.27 (2) (a) (by SECTION
10 2002c), 120.13 (2) (g), 565.30 (5m) (a) (by SECTION 3025pa), 632.897 (10) (a) 3.,
11 767.045 (1) (a) 2., (am) and (e) and (4m), 767.078 (1) (a) 1. and (2), 767.11 (12) (b),
12 767.115 (title) and (4), 767.23 (1) (a), (am), (c) and (k) and (1n), 767.24 (1), (1m), (2)
13 (a), (am), (b) and (c), (4) (c) and (5) (intro.), (a), (bm), (cm), (dm), (em), (fm), (g) and
14 (jm), 767.242, 767.25 (1) (intro.), (1m) (b) and (c), (4m) (b) and (5), 767.253, 767.254
15 (2) (intro.), 767.265 (1) (by SECTION 3055c), (3h), (4) and (6) (a), (b) and (c), 767.267
16 (1), 767.29 (1m) (intro.), 767.295 (2) (a) (intro.) and (c), 767.303 (1) (by SECTION
17 3065cf), 767.32 (1) (b) 4. and (2m), 767.325 (2m), (5m) and (6m), 767.327 (4) and (5m),
18 767.45 (7), 767.455 (6), 767.477 (1) and (2), 767.51 (3), (3m), (3r), (4), (4g), (4m), (5),
19 (5d) and (5p), 767.53 (intro.), (1) (intro.) and (3), 767.62 (4) and (4m), 802.12 (3) (d)
20 1. and 3., 808.075 (4) (d) 11. and 948.22 (7) (bm) of the statutes, the renumbering and
21 amendment of section 767.24 (4) (a) of the statutes and the creation of section 767.24
22 (4) (a) 3. of the statutes first apply to actions affecting the family, including actions
23 to enforce or modify a judgment or order in an action affecting the family previously
24 granted, that are commenced on the effective date of this paragraph.

1 (b) The treatment of sections 767.25 (6) (intro.) and 767.261 (intro.) of the
2 statutes first applies to arrearages existing or accruing on the effective date of this
3 paragraph, regardless of when the order on which the arrearages are based was
4 entered.

5 **SECTION 9358. Initial applicability; other.**

6 (2) ENVIRONMENTAL REMEDIATION TAX INCREMENTAL FINANCING. The treatment of
7 section 66.462 (1) (c) and (i), (2) and (4) (a) of the statutes first applies to an
8 environmental remediation tax incremental financing district, the written
9 remediation proposal for which is approved by the political subdivision's governing
10 body on the effective date of this subsection.

11 (4cs) REPRESENTATION IN PROCEEDINGS INVOLVING CHILDREN IN NEED OF
12 PROTECTION OR SERVICES. The treatment of sections 48.20 (8), 48.21 (3) (d), 48.23 (3)
13 and (4) and 48.27 (4) (a) 2. of the statutes, the renumbering and amendment of
14 section 48.23 (2) of the statutes and the creation of section 48.23 (2) (b) of the statutes
15 first apply to proceedings commenced under section 48.13 of the statutes on the
16 effective date of this subsection.

17 (4ct) REPRESENTATION IN PROCEEDINGS INVOLVING JUVENILES IN NEED OF
18 PROTECTION OR SERVICES. The treatment of sections 938.20 (8), 938.21 (3) (d), 938.23
19 (2), (3) and (4), 938.243 (1) (e) and 938.27 (4) (b) of the statutes first applies to
20 proceedings commenced under section 938.13 of the statutes on the effective date of
21 this subsection.

22 (5f) FULL-TIME DISTRICT ATTORNEY FOR RICHLAND AND RUSK COUNTIES. The
23 treatment of section 978.01 (2) (b) of the statutes first applies to the district attorneys
24 elected at the year 2000 general election.

1 (5x) HUMAN BIOLOGICAL SPECIMENS FOR DEOXYRIBONUCLEIC ACID ANALYSIS. The
2 treatment of sections 973.046 (1) (intro.), (a) and (b) and (1g) and 973.047 (1) (a) and
3 (b) of the statutes first applies to sentencing proceedings that occur on the effective
4 date of this subsection.

5 (5zv) COMPLIANCE OF PLAT WITH COMPREHENSIVE PLAN. The treatment of section
6 236.13 (1) (c) of the statutes first applies to all of the following:

7 (a) A preliminary plat submitted on the effective date of this paragraph.

8 (b) A final plat submitted on the effective date of this paragraph if no
9 preliminary plat was submitted, a preliminary plat was submitted but not approved
10 or the final plat was submitted more than 24 months after the last required approval
11 of any preliminary plat submitted and approved.

12 (6d) VIDEO GAMBLING MACHINES. The treatment of section 945.05 (1) (intro.) and
13 (1m) of the statutes, the renumbering and amendment of sections 945.03 and 945.04
14 of the statutes and the creation of sections 945.03 (2m) and 945.04 (2m) of the
15 statutes first apply to offenses committed on the effective date of this subsection.

16 (6e) REVOCATION OF CLASS “B” AND “CLASS B” LICENSES. The treatment of section
17 945.041 (11) of the statutes first applies to revocation proceedings commenced on the
18 effective date of this subsection.

19 (6m) PROBATION FOR OPERATING WHILE INTOXICATED OFFENSES. The renumbering
20 and amendment of section 973.09 (1) (d) of the statutes and the creation of section
21 973.09 (1) (d) 2. and 3. of the statutes first apply to offenses committed on the effective
22 date of this subsection.

23 (7c) INTOXICATING LIQUOR DEALERSHIPS. The treatment of section 135.066 of the
24 statutes, the renumbering and amendment of section 135.02 (3) of the statutes and
25 the creation of section 135.02 (3) (b) of the statutes first apply to dealerships as

1 defined in section 135.02 (3) of the statutes, as affected by this act, in effect on
2 October 1, 1998, and to any cause of action under chapter 135 of the statutes for
3 which final judgment has not been entered on or before the day after publication.

4 (7g) DISTRIBUTION OF FREE NEWSPAPERS. The treatment of section 134.48 of the
5 statutes first applies to contracts entered into or renewed on the effective date of this
6 subsection.

7 (7m) STATE PROCUREMENT OF TONER CARTRIDGES. The treatment of sections 16.70
8 (13m) and 16.74 (5m) of the statutes, the renumbering of section 16.72 (2) (e) of the
9 statutes and the creation of section 16.72 (2) (e) 2. of the statutes first apply to
10 specifications for notices inviting bids or competitive sealed proposals for purchases
11 and to specifications for orders for purchases placed on the first day of the 7th month
12 beginning after publication.

13 (7mb) PROMISSORY NOTES ISSUED BY COUNTIES, UNFUNDED PENSION LIABILITIES. The
14 treatment of section 67.04 (5) (b) 4. of the statutes first applies to promissory notes
15 that are issued on the effective date of this subsection.

16 **SECTION 9400. Effective dates; general.** Except as otherwise provided in
17 SECTIONS 9401 to 9458 of this act, this act takes effect on July 1, 1999, or on the day
18 after publication, whichever is later.

19 **SECTION 9401. Effective dates; administration.**

20 (2zt) WISCONSIN LAND COUNCIL. The treatment of section 20.505 (1) (ka) (by
21 SECTION 519) of the statutes takes effect on September 1, 2003.

22 (2zu) SOIL SURVEYS AND MAPPING. The repeal of sections 16.967 (11) and 20.505
23 (1) (ik) and (kt) of the statutes takes effect on September 1, 2005.

24 (4) ADDITIONAL BIWEEKLY PAYROLL. The repeal of section 20.865 (1) (e), (jm), (m),
25 (tm) and (x) of the statutes takes effect on June 30, 2001.

1 (5) PAY RATE OR RANGE ADJUSTMENTS. The repeal of section 20.865 (1) (cb) and
2 (ib) of the statutes takes effect on June 30, 2001.

3 (6zu) LAND USE PLANNING GRANTS. The repeal of sections 16.965 (title), (1), (2)
4 and (4) and 20.505 (1) (cm) and (cn) of the statutes takes effect on July 1, 2010.

5 (6zv) WISCONSIN LAND COUNCIL. The treatment of sections 15.01 (4) (by SECTION
6 12n) and 227.01 (1) (by SECTION 2353n) of the statutes and the repeal of section
7 16.965 (3) and (5) of the statutes take effect on September 1, 2003.

8 (7g) VENDORNET FUND. The repeal and recreation of section 25.61 of the statutes
9 takes effect July 1, 2000.

10 (7h) GRANT TO HERITAGE MILITARY MUSIC FOUNDATION. The treatment of section
11 20.505 (1) (kc) (by SECTION 520n) of the statutes and the repeal of sections 16.853 and
12 20.505 (1) (kw) of the statutes take effect on July 1, 2001.

13 (7wx) CENSUS EDUCATION BOARD. The repeal of section 15.105 (27) of the statutes
14 takes effect on July 1, 2000.

15 **SECTION 9404. Effective dates; agriculture, trade and consumer**
16 **protection.**

17 (1) FEDERAL DAIRY POLICY REFORM. The repeal of sections 20.115 (4) (cd) and
18 93.06 (12) of the statutes takes effect on July 1, 2001.

19 (2) RABIES CONTROL TRAINING FEES. The repeal and recreation of section 20.115
20 (2) (j) of the statutes takes effect on December 1, 1999.

21 (2g) MEAT AND POULTRY INSPECTION. The treatment of section 97.42 (4) (intro.)
22 and (4m) of the statutes takes effect on January 1, 2000.

23 (2m) CONSUMER TELECOMMUNICATION SERVICES REPORT. The treatment of section
24 93.07 (7) (e) of the statutes takes effect on January 1, 2000.

1 (6m) EXCLUSIVE AGRICULTURAL ZONING. The treatment of section 91.75 (1) of the
2 statutes takes effect on January 1, 2001.

3 **SECTION 9410. Effective dates; commerce.**

4 (3g) ONE- AND 2-FAMILY DWELLING CODE. The treatment of section 101.651 (title),
5 (1) (title), (2), (2m), (3s), (4) (title), (5) (title) and (6) (title) of the statutes, the
6 renumbering and amendment of section 101.651 (3) and (3m) of the statutes, the
7 creation of section 101.651 (3) (title) and (b) and (3m) (title) of the statutes and
8 SECTION 9110 (3g) and (3j) of this act take effect on May 1, 2000.

9 (4) GAMING ECONOMIC DIVERSIFICATION GRANTS AND LOANS. The treatment of
10 sections 20.143 (1) (id) and (km), 20.505 (8) (hm) 6m. and 560.138 of the statutes and
11 the amendment of section 560.139 (1) (a) and (2) (a) of the statutes take effect on
12 July 1, 2000.

13 (4x) PRIVATE SEWAGE SYSTEM REPLACEMENT OR REHABILITATION GRANT PROGRAM.
14 The treatment of section 145.245 (4) (a) and (c), (4m) (a) to (c) and (d), (5) (a) 1. (by
15 SECTION 2221m), 2. (by SECTION 2223m) and 3., (5m) (a), (7) (d) and (11m) (am), (b)
16 and (c) of the statutes and SECTION 9310 (4x) of this act take effect on
17 February 1, 2000.

18 (5) GAMING ECONOMIC DEVELOPMENT GRANTS AND LOANS. The amendment of
19 section 20.143 (1) (kj) of the statutes takes effect on July 1, 2001.

20 (5x) REGULATION OF MOBILE HOMES AND RECREATIONAL VEHICLES. The treatment
21 of sections 16.366 (title), (1), (2), (2m) and (3), 20.143 (3) (j), 20.505 (7) (jf), 25.46 (19),
22 101.02 (20) (a) and (21) (a), 101.91 (1), (1g), (1m), (2g), (2m), (3), (4), (5) and (6), 101.92
23 (9), 101.9202, 101.9203, 101.9204, 101.9205, 101.9206, 101.9207, 101.9208,
24 101.9209, 101.921, 101.9211, 101.9212, 101.9213, 101.9214, 101.9215, 101.9216,
25 101.9217, 101.9218, 101.9219, 101.922, 101.9221, 101.9222, 101.94 (8) (a) and (c),

1 101.951, 101.952, 101.953, 101.954, 101.955, 101.965, 138.056 (1) (b) and (c), 138.09
2 (7) (jm) 1. b., 196.01 (3n), 218.10 (1), (1m), (1t), (2), (3), (4), (5), (6), (7), (8), (8m) and
3 (9), 218.101, 218.11 (title), (1), (2) (am) 4. (by SECTION 2342Lo), (b) and (d), (3), (6)
4 (intro.), (d) and (n) and (7), 218.12 (title), (1), (2) (a) (by SECTION 2342ps), (am) 1. (by
5 SECTION 2342pu) and 3. (by SECTION 2342pw), (b) and (d), (3), (5) and (6), 218.14,
6 218.15, 218.16, 218.165, 218.17 (1), (2) and (3), 227.43 (1) (bg), 340.01 (11) (intro.),
7 (14), (28), (29), (48r) and (72) (a), 341.04 (1) (intro.), 341.05 (26), 341.12 (1), 341.25
8 (1) (intro.) and (i) (by SECTION 2732d.), 341.47 (1) (intro.), 341.51 (1) and (2), 341.53,
9 341.62, 342.18 (4) (a) and (b), 342.22 (3) (a), 342.30 (2), 343.055 (1) (d), 409.302 (3)
10 (f), 411.104 (1) (a), 422.201 (12m), 422.209 (1m) (a) 2., 422.413 (2g) (intro.) and 779.85
11 (6) and subchapter VI (title) of chapter 218 of the statutes and SECTIONS 9101 (3x),
12 9110 (7n), 9150 (5xy) and 9201 (2x) of this act take effect on July 1, 2000.

13 (9yt) RISK BASED ANALYSIS AND REIMBURSEMENT CHANGES TO PETROLEUM STORAGE
14 REMEDIAL ACTION PROGRAM. The treatment of section 101.143 (2e) (c), (3) (cp), (cs) and
15 (g) and (4) (c) 11. of the statutes and SECTION 9310 (3yt), (3yu) and (3yv) of this act
16 take effect on November 1, 1999.

17 **SECTION 9411. Effective dates; corrections.**

18 (5d) SUNSET OF PRIVATE BUSINESS PRISON EMPLOYMENT PROGRAM. The treatment
19 of sections 20.410 (1) (gi), (hm) and (km), 20.455 (5) (i), 108.07 (8) (b), 303.01 (8) (b),
20 (c), (d) and (e), 303.06 (3) and 303.21 (1) (b) of the statutes and the repeal of section
21 303.01 (2) (em) and (11) of the statutes take effect on March 1, 2001, if the
22 certification described in SECTION 9111 (2d) (c) of this act occurs.

23 (6xt) SECURED GROUP HOMES.

24 (a) The renumbering and amendment of section 48.66 (1) of the statutes, the
25 amendment of sections 16.385 (7), 19.35 (1) (am) 2. c., 46.036 (4) (a), 48.02 (17), 48.48

1 (9), 48.48 (9m), 48.48 (10), 48.66 (2m) (a) 1., 48.66 (2m) (am) 1., 48.66 (2m) (b) (by
2 SECTION 1156d), 48.66 (2m) (bm) (by SECTION 1157d), 48.68 (1), 48.69, 48.715 (1),
3 48.715 (2) (a), 48.715 (2) (b), 48.715 (4) (intro.), 48.715 (5), 48.715 (6), 48.715 (7),
4 49.857 (1) (d) 3., 51.05 (2), 51.35 (3) (title), 51.35 (3) (a), 51.35 (3) (c), 51.35 (3) (e),
5 51.35 (3) (g), 73.0301 (1) (d) 2., 118.125 (4), 165.76 (1) (a) (by SECTION 2288g), 165.76
6 (2) (b) 2., 252.15 (1) (ab), 252.15 (2) (a) 7. a., 301.01 (2) (b), 301.01 (4), 301.027, 301.03
7 (10) (d), 301.03 (10) (e), 301.03 (10) (f), 301.08 (1) (b) 3., 301.205, 301.26 (4) (cm) 1.,
8 301.26 (4) (cm) 2., 301.26 (4) (dt), 301.26 (7) (a) 3., 301.263 (3), 301.36 (1), 301.37 (1),
9 301.45 (1) (b), 301.45 (1) (bm), 301.45 (3) (a) 2., 301.45 (5) (a) 2., 938.02 (15g), 938.02
10 (15m), 938.02 (17), 938.069 (1) (dj), 938.08 (3) (a) (intro.), 938.08 (3) (a) 1., 938.08 (3)
11 (a) 2., 938.08 (3) (b), 938.17 (1) (c), 938.183 (1) (a), 938.208 (2), 938.22 (title), 938.22
12 (1) (a), 938.22 (1) (b), 938.22 (1) (c), 938.22 (2) (a), 938.22 (3) (a), 938.22 (3) (b), 938.22
13 (7) (a), 938.22 (7) (b), 938.22 (7) (c), 938.23 (1) (a), 938.33 (3) (intro.), 938.33 (3) (a),
14 938.33 (3r), 938.34 (4m) (intro.), 938.34 (4n) (intro.), 938.34 (4n) (b), 938.34 (8d) (c),
15 938.345 (1) (a), 938.355 (1), 938.357 (3), 938.357 (4g) (a), 938.357 (4g) (b), 938.357 (4g)
16 (d), 938.357 (5) (e), 938.357 (5) (f), 938.38 (3) (a), 938.51 (1) (intro.), 938.51 (1m),
17 938.51 (4) (intro.), 938.57 (1) (c), 938.57 (4), 938.78 (3), 939.635 (1), 939.635 (2) (b),
18 946.42 (1) (a), 946.44 (2) (c), 946.44 (2) (d), 946.45 (2) (c), 946.45 (2) (d), 968.255 (7)
19 (b), 980.015 (2) (b), 980.02 (1) (b) 2., 980.02 (2) (ag), 980.02 (4) (am), 980.02 (4) (b) and
20 980.04 (1) of the statutes and the creation of sections 51.01 (14k), 51.01 (14m), 51.01
21 (14p), 301.01 (3k), 301.01 (3m), 301.01 (3p), 301.08 (1) (b) 4. and 938.02 (15p) of the
22 statutes and SECTION 9311 (5xt) of this act take effect on January 1, 2000.

23 (b) The repeal and recreation of section 51.35 (3) (c) and (e) of the statutes takes
24 effect on December 1, 2001.

1 (7m) DISBURSEMENT OF HUBER WAGES. The treatment of sections 303.08 (5) (a),
2 (b) and (c) of the statutes takes effect on January 1, 2000.

3 **SECTION 9414. Effective dates; elections board.**

4 (2g) CHALLENGING ELECTORS. The treatment of sections 6.92 (intro.) and (1) to
5 (6) and 6.925 (intro.) and (1) to (6) of the statutes takes effect on the first day of the
6 6th month beginning after publication.

7 **SECTION 9415. Effective dates; employe trust funds.**

8 (1g) PRIVATE EMPLOYER HEALTH CARE COVERAGE. The repeal of sections 13.94 (1)
9 (p), 15.07 (1) (b) 22., 15.165 (5) and 20.515 (2) (title), (a), (b) and (g) and subchapter
10 X of chapter 40 of the statutes and the amendment of section 40.02 (26) (intro.) (by
11 SECTION 930wm) and (28) (by SECTION 931c) of the statutes take effect on
12 January 1, 2010.

13 (1h) APPROPRIATION FOR PROVISION OF BENEFITS. The repeal of section 20.515 (1)
14 (v) of the statutes takes effect on July 1, 2001.

15 **SECTION 9419. Effective dates; financial institutions.**

16 (2g) NONDEPOSITORY SMALL BUSINESS LENDERS. The creation of subchapter IV of
17 chapter 224 [precedes 224.90] of the statutes and the treatment of SECTION 9319 (1g)
18 of this act take effect on the first day of the 6th month beginning after publication.

19 **SECTION 9421. Effective dates; governor.**

20 (1x) ASSISTANCE FROM DEPARTMENT OF WORKFORCE DEVELOPMENT. The treatment
21 of section 20.445 (3) (mc) (by SECTION 474ac) of the statutes and the repeal of sections
22 14.18 and 20.525 (1) (kb) of the statutes take effect on January 6, 2003.

23 **SECTION 9423. Effective dates; health and family services.**

1 (1) ELIMINATION OF COUNCIL ON LONG-TERM CARE. The repeal of sections 15.197
2 (5), 46.281 (1) (a) and (b) and 46.282 (1) of the statutes takes effect on July 1, 2001,
3 or on the day after publication of the 2001–03 biennial budget act, whichever is later.

4 (3) STATEWIDE AUTOMATED CHILD WELFARE INFORMATION SYSTEM. The treatment
5 of section 46.45 (2) (a) of the statutes takes effect on July 1, 2001.

6 (4w) BRIGHTER FUTURES INITIATIVE AND TRIBAL ADOLESCENT SERVICES. The
7 treatment of sections 20.435 (3) (fm), 20.9275 (2) (intro.), 46.48 (6), 46.715, 46.99,
8 46.995 (title), (1) (title), (a), (b), (c), (d), (e) and (f), (1m), (2) (a), (b), (c) and (d) and (4),
9 46.997 (title), (1) (intro.), (a), (b), (c), (d), (e) and (f), (2) (a), (b), (c) and (d), (3), (4) and
10 (5), 46.99 and 51.45 (5) of the statutes, the repeal of section 46.996 of the statutes,
11 the renumbering and amendment of sections 46.995 (1) (intro.), (2) (intro.) and (3)
12 and 46.997 (2) (intro.) of the statutes and the repeal and recreation of section 20.435
13 (3) (eg) and (km) of the statutes take effect on July 1, 2000.

14 (5) COMMUNITY-BASED RESIDENTIAL FACILITY CLIENT REFERRALS. The treatment of
15 sections 46.27 (7) (cj) 3. a. and (11) (c) 5n. a., 46.277 (5) (d) 1n. a. and 50.035 (7) (c)
16 of the statutes and SECTION 9323 (3) of this act take effect on January 1, 2000.

17 (6) SUPPLEMENTAL PAYMENT FOR CERTAIN RECIPIENTS OF SUPPLEMENTAL SECURITY
18 INCOME. The treatment of section 49.775 (4) of the statutes takes effect on
19 November 1, 1999, or on the day after publication, whichever is later.

20 (7) INDIAN GAMING FUNDS. The treatment of sections 20.435 (4) (bs), 20.505 (8)
21 (hm) 18. and 49.029 (2) (by SECTION 1207) of the statutes takes effect on July 1, 2000.

22 (8) INDIAN GAMING FUNDS. The treatment of sections 20.435 (5) (ek), 20.505 (8)
23 (hm) 18b. and 146.19 (2) (intro.) of the statutes takes effect on July 1, 2000.

24 (10) LICENSING OF RADIOACTIVE MATERIAL. The treatment of section 254.365 of
25 the statutes takes effect on January 1, 2003.

1 (10m) ADMINISTRATION OF MEDICAL ASSISTANCE. The treatment of sections 20.445
2 (3) (dz) (by SECTION 467b), 49.33 (1) (b) and (8) (a), 49.45 (3) (a) and 49.496 (4) of the
3 statutes and SECTION 9157 (2p) take effect on March 1, 2000.

4 (10v) FOSTER CARE RATES. The treatment of section 48.62 (4) of the statutes takes
5 effect on January 1, 2000, or on the day after publication, whichever is later.

6 (11g) NEWBORN HEARING SCREENING PROGRAM.

7 (a) The amendment of section 69.22 (1) (c) of the statutes takes effect on
8 October 1, 1999, or on the first day of the first month beginning after publication,
9 whichever is later.

10 (b) The amendment of section 20.435 (5) (jk) of the statutes takes effect on
11 July 1, 2001.

12 (c) The repeal of sections 20.435 (5) (jk) and 253.115 (4) of the statutes, the
13 amendment of section 20.433 (1) (h) (by SECTION 368s) of the statutes and the repeal
14 and recreation of section 69.22 (1) (c) of the statutes take effect on January 1, 2002.

15 (12m) GRANT FOR ST. CLARE HEALTH MISSION. This treatment of section 20.435
16 (4) (gp) (by SECTION 405h) of the statutes takes effect on July 1, 2001.

17 (12xx) CAREGIVER BACKGROUND CHECKS. The treatment of sections 48.685 (2)
18 (bg) (by SECTION 1170n), (4m) (b) (intro.) (by SECTION 1173j) and (5m) (by SECTION
19 1176g) and 50.065 (4m) (b) (intro.) (by SECTION 1521zi) of the statutes takes effect on
20 February 1, 2000.

21 (12z) ALCOHOL AND OTHER DRUG TESTING OF MINORS. The treatment of section
22 51.48 of the statutes and SECTION 9323 (13z) of this act take effect on the first day of
23 the 2nd month beginning after publication.

24 (13t) PERSONAL NEEDS ALLOWANCE. The treatment of section 49.45 (7) (a) of the
25 statutes takes effect on July 1, 2001.

1 (14d) FUNERAL AND BURIAL EXPENSES.

2 (a) The treatment of section 49.30 (1) (b) (by SECTION 1355w) of the statutes
3 takes effect on January 1, 2001.

4 (b) The treatment of section 49.30 (1) (b) (by SECTION 1355wb) of the statutes
5 takes effect on July 1, 2001.

6 (14g) COMMUNITY MARRIAGE POLICY PROJECT. The repeal of section 49.175 (1) (ze)
7 10. of the statutes takes effect on October 1, 2003.

8 **SECTION 9425. Effective dates; Housing and Economic Development**
9 **Authority.**

10 (3g) TRANSFER TO WISCONSIN DEVELOPMENT RESERVE FUND. The repeal of section
11 234.51 (2) (c) of the statutes takes effect on July 1, 2000.

12 **SECTION 9426. Effective dates; insurance.**

13 (4g) POINT-OF-SERVICE OPTION PLANS. The treatment of sections 40.05 (4) (ag) 2.,
14 111.91 (2) (r) and 609.10 (title), (1) (a), (ac), (b) and (c) and (2) and 609.20 (3) and (4)
15 of the statutes, the renumbering and amendment of section 609.10 (3) of the statutes
16 and the creation of section 609.10 (3) (b) of the statutes and SECTION 9326 (4g) of this
17 act take effect on the first day of the 18th month beginning after publication.

18 **SECTION 9427. Effective dates; investment board.**

19 (1g) ABOLITION OF BONUS COMPENSATION PROGRAM FOR CERTAIN EMPLOYEES OF THE
20 INVESTMENT BOARD. The treatment of sections 25.156 (2), (6) and (7), 25.16 (7), 25.165
21 (1) and 40.63 (1) (c) of the statutes and SECTION 9127 (1g) of this act take effect on
22 July 1, 2000.

23 **SECTION 9436. Effective dates; natural resources.**

24 (1) SNOWMOBILE SAFETY PROGRAM.

1 (a) The treatment of section 350.055 (by SECTION 2802) of the statutes takes
2 effect on January 1, 2000, or on the day after publication, whichever is earlier.

3 (b) The treatment of section 350.05 (3) of the statutes and the repeal and
4 recreation of sections 350.05 (2) and 350.055 of the statutes take effect on
5 January 1, 2001.

6 (2) DEPARTMENTAL HUNTING AND RECREATIONAL SAFETY PROGRAMS. The treatment
7 of sections 20.370 (3) (at), 23.33 (5) (d), 29.563 (11) (b) 1., 29.591 (3) and 30.74 (1) (b)
8 of the statutes takes effect on the first day of the 2nd month beginning after
9 publication.

10 (3) BOAT CERTIFICATION AND REGISTRATION PERIODS. The treatment of section
11 30.52 (2) and (3) (b), (c), (d), (e), (f), (fm), (h), (i) and (im) of the statutes and SECTION
12 9336 (5) of this act take effect on April 1, 2000.

13 (5vw) AQUATIC NUISANCE SPECIES. The repeal of section 30.1255 (4) of the
14 statutes takes effect on July 1, 2001.

15 (5vx) SOUTHEASTERN WISCONSIN FOX RIVER COMMISSION AND AQUATIC NUISANCES.
16 The repeal and recreation of section 20.370 (5) (cq) of the statutes takes effect on
17 July 1, 2001.

18 (5x) PORTAGE CANAL PROJECT. The treatment of section 20.370 (5) (cq) (by
19 SECTION 319h) of the statutes takes effect on July 1, 2000.

20 (6) ELK TRANSPORTATION. The treatment of sections 20.370 (1) (hk) and 20.505
21 (8) (hm) 8g. of the statutes takes effect on July 1, 2000.

22 (6t) LAKE SUPERIOR HARBOR OF REFUGE. The treatment of sections 20.924 (2) and
23 30.92 (4m) of the statutes takes effect on January 1, 2000.

24 (8) DRINKING WATER STUDY REPEAL. The repeal of sections 20.370 (6) (ck) and
25 20.505 (8) (hm) 17g. of the statutes takes effect on July 1, 2001.

1 (8c) DRY CLEANING FACILITIES. The treatment of section 292.65 (1) (d) 9. of the
2 statutes takes effect retroactively to October 14, 1997.

3 (8m) STUDY ON WILD CRANES. The amendment of section 20.370 (1) (Lk) of the
4 statutes takes effect on July 1, 2001.

5 (9c) POSTING AIR EMISSIONS INFORMATION ON THE INTERNET. The treatment of
6 section 285.17 (3) of the statutes takes effect on the first day of the 3rd month
7 beginning after publication.

8 (9d) BONUS DEER HUNTING PERMITS. The treatment of sections 20.370 (5) (fq),
9 29.181 (2m) (intro.), 29.229 (4) (f), 29.559 (1), (1r) and (3) and 29.563 (2) (c) 1. and (d)
10 and (14) (c) 4. and SECTION 9336 (2) of this act take effect on April 1, 2000.

11 (10g) STEWARDSHIP PROGRAMS. The treatment of sections 23.094 (3g) and 23.098
12 (4) (am) of the statutes and the repeal and recreation of sections 23.092 (6), 23.094
13 (8) and 23.175 (4) of the statutes take effect on July 1, 2000.

14 (10n) GROUP FISHING LICENSE. The treatment of sections 29.024 (2g) (a) 1.,
15 29.193 (5) and 29.563 (3) (a) 7m. of the statutes takes effect on the 1st day of the 7th
16 month beginning after publication.

17 (11m) RECYCLING AND ENVIRONMENTAL FEES. The treatment of sections 25.49 (3),
18 289.645 and 289.67 (1) (cm) and (cp) of the statutes takes effect on January 1, 2000.

19 (11z) STEWARDSHIP DEBT SERVICE. The repeal of section 20.370 (7) (au) of the
20 statutes and the repeal and recreation of sections 20.370 (7) (aa) and 20.866 (1) (u)
21 of the statutes take effect on July 1, 2001.

22 **SECTION 9439. Effective dates; public instruction.**

23 (1g) SCHOOL SAFETY PLANS. The creation of section 120.12 (26) of the statutes
24 takes effect on the first day of the 6th month beginning after publication.

25 **SECTION 9442. Effective dates; regulation and licensing.**

1 (1) INITIAL AND RENEWAL CREDENTIAL FEES.

2 (a) The treatment of sections 440.05 (1) (a) and 440.08 (2) (a) 1., 2., 3., 4., 4m.,
3 5., 6., 7., 9., 11., 11m., 12., 13., 14., 14g., 14r., 15., 16., 17., 18., 20., 24., 25., 26., 27.,
4 27m., 28., 29., 30., 31., 34., 35., 35m., 36., 37., 38., 38g., 38m., 39., 42., 43., 45., 46.,
5 46m., 48., 49., 50., 51., 52., 53., 54., 55., 56., 57., 58., 59., 60., 61., 62., 63., 63g., 63m.,
6 63t., 63u., 63v., 63w., 63x., 64., 65., 66., 67., 67m., 67q., 68., 68d., 68h., 68p., 68t., 68v.,
7 69., 70. and 71. of the statutes takes effect on September 1, 1999, or on the first day
8 of the 2nd month beginning after publication, whichever is later.

9 (b) The treatment of section 440.08 (2) (a) 67v. of the statutes takes effect on
10 October 2, 1999.

11 (1m) REGULATION OF ATHLETIC TRAINERS. The treatment of sections 146.81 (1)
12 (eq), 180.1901 (1m) (bs), 252.14 (1) (ar) 4q., 440.08 (2) (a) 14f., 450.10 (3) (a) 5q.,
13 895.48 (1m) (intro.) and (b) of the statutes and of subchapter VI of chapter 448 of the
14 statutes take effect on the first day of the 13th month beginning after publication.

15 (2c) IRREVOCABLE BURIAL TRUSTS.

16 (a) The treatment of section 445.125 (1) (a) 2. (by SECTION 2923mm) of the
17 statutes takes effect on January 1, 2001.

18 (b) The treatment of section 445.125 (1) (a) 2. (by SECTION 2923mn) of the
19 statutes takes effect on July 1, 2001.

20 **SECTION 9443. Effective dates; revenue.**

21 (1) LOTTERY RETAILER COMPENSATION. The treatment of sections 565.02 (4) (g)
22 and 565.10 (14) (b) 3m. of the statutes takes effect on January 1, 2000.

23 (3tx) WINE AND LIQUOR SALES TAX EXEMPTION. The renumbering and amendment
24 of section 139.03 (5) (b) of the statutes and the creation of section 139.03 (5) (b) 2. of
25 the statutes take effect on the first day of the 2nd month beginning after publication.

1 (4g) TIME-SHARE PROPERTY. The treatment of sections 77.21 (1), 77.51 (4) (c) 6.,
2 77.52 (2) (a) 1. and 2. and 707.46 (3) of the statutes takes effect on the first day of the
3 2nd month beginning after publication.

4 (7d) TRANSITIONAL ADJUSTMENT FEE CREDIT. The treatment of section 76.91 (1m)
5 of the statutes takes effect retroactively to May 1, 1998.

6 (7f) LOCAL EXPOSITION DISTRICT TAXES. The treatment of sections 20.566 (1) (gg),
7 20.835 (4) (gg), 66.75 (1m) (f) 3., 77.982 (3) and 77.991 (3) of the statutes takes effect
8 on the first day of the first month beginning after publication.

9 (7fg) TAXABLE SALES. The treatment of section 77.54 (20) (c) 4m. of the statutes
10 takes effect on the first day of the 2nd month beginning after publication.

11 (7g) VENDING MACHINE SALES. The treatment of section 77.54 (20) (c) 6. of the
12 statutes takes effect on July 1, 2001.

13 (7i) CHARTER TOUR BOATS; COMMERCIAL FISHING EQUIPMENT. The treatment of
14 section 70.111 (3) of the statutes takes effect on the January 1 after publication.

15 (7v) SALES TAX ON AUCTIONS. The treatment of section 77.51 (9) (e) of the statutes
16 takes effect on the January 1 after publication.

17 (8c) RAILROAD TRACKS AND RIGHTS-OF-WAY. The treatment of section 77.54 (44)
18 of the statutes takes effect on January 1, 2001.

19 (8d) CIGARETTE TAX STAMP DISCOUNT. The treatment of section 139.32 (5) of the
20 statutes takes effect on July 1, 2000.

21 (24e) LOTTERY FUND. The repeal and recreation of sections 25.75 (1) (b), 71.07
22 (3m) (b) 1. a. and (c) 3., 71.28 (2m) (b) 1. a. and (c) 3., 71.47 (2m) (b) 1. a. and (c) 3.
23 and 79.10 (11) (b) of the statutes and the creation of section 25.75 (1) (c) 3. and (3) (b)
24 and (e) of the statutes take effect on the effective date of the 2001–03 biennial budget
25 act.

1 **SECTION 9446. Effective dates; supreme court.**

2 (2h) PENALTY ASSESSMENT APPROPRIATION. The repeal of sections 20.505 (6) (j) 16.
3 and 20.680 (2) (kp) of the statutes and the amendment of section 758.19 (4) (by
4 SECTION 3050q) of the statutes take effect on July 1, 2000.

5 **SECTION 9449. Effective dates; tourism.**

6 (2rs) INTERNET REFERRAL SYSTEM GRANTS. The repeal of section 20.380 (1) (c) of
7 the statutes takes effect on July 1, 2001.

8 **SECTION 9450. Effective dates; transportation.**

9 (1) OPERATING AFTER REVOCATION OR WHILE SUSPENDED. The treatment of section
10 343.44 (2) (a) and (am) of the statutes takes effect on May 1, 2001, or on the date
11 stated for those paragraphs in the notice published by the secretary of transportation
12 in the Wisconsin Administrative Register under section 85.515 of the statutes,
13 whichever is earlier.

14 (2) LATE PAYMENT FEES FOR TELEPHONIC MOTOR TRUCK REGISTRATION. The
15 treatment of section 341.19 (1) (b) of the statutes and SECTION 9350 (2) of this act take
16 effect on January 1, 2000.

17 (3) STATE TRAFFIC PATROL ADMINISTRATOR. The treatment of section 40.02 (48) (b)
18 4. of the statutes takes effect on January 1, 2000.

19 (3g) GRADUATED DRIVER LICENSING.

20 (a) The treatment of sections 121.41 (2), 343.06 (1) (cm), 343.07 (1) (a), (b), (bm)
21 and (c), and (3), 343.17 (3) (a) 13., 343.19 (1) and 343.21 (1) (i) and (ir) of the statutes
22 takes effect on the first day of the 4th month beginning after publication.

23 (b) SECTION 9150 (5g) of this act takes effect on the day after publication.

24 (c) The treatment of sections 343.085 (2m), (3) and (5) and 343.32 (2) (bc) of the
25 statutes, the renumbering and amendment of sections 343.085 (1) and 343.32 (2) (c)

1 of the statutes, the creation of sections 343.085 (1) (b) and 343.32 (2) (c) 2. of the
2 statutes and SECTION 9350 (4g) of this act take effect on the first day of the 10th month
3 beginning after publication, or on September 1, 2000, whichever is later.

4 (4c) SALVAGE VEHICLE TITLES. The treatment of sections 342.07 (1) and (2) (a),
5 342.15 (2), (3) and (6) and 342.16 (1) (a), (c) and (d) of the statutes and SECTION 9350
6 (10d) of this act take effect on the first day of the first month beginning after
7 publication.

8 **SECTION 9454. Effective dates; University of Wisconsin System.**

9 (1g) LAWTON MINORITY UNDERGRADUATE GRANTS. The treatment of section 20.285
10 (4) (dd) of the statutes takes effect on July 1, 2000.

11 **SECTION 9457. Effective dates; workforce development.**

12 (1) COLLECTION METHODS FOR PUBLIC ASSISTANCE. The amendment of section
13 49.195 (3n) (k) and (r) of the statutes takes effect on December 31, 1999.

14 (2) ASSIGNMENT OF RECEIVING AND DISBURSING FEES. The treatment of sections
15 767.265 (1), (2h) (by SECTION 3059) and (2r) and 767.29 (1) (d) (intro.), 1. and 2. of the
16 statutes, the amendment of section 767.265 (1m) of the statutes and SECTION 9357
17 (3) of this act take effect on January 1, 2000.

18 (3) INCOME CALCULATION. The treatment of sections 49.145 (3) (b) 2. and 49.155
19 (1m) (b) 3. and (c) 1g. and 1h. of the statutes, the renumbering and amendment of
20 section 49.155 (1m) (c) 1. of the statutes and the creation of section 49.155 (1m) (c)
21 1. a. and b. of the statutes and SECTION 9357 (4) of this act take effect on
22 January 1, 2000.

23 (4) CHILD CARE SUBSIDY ELIGIBILITY. The treatment of section 49.155 (1) (aL) and
24 (1m) (intro.) and (a) (intro.) of the statutes takes effect on January 1, 2000.

1 (6f) PROHIBITION OF FINANCIAL ASSISTANCE IF NAME ON SUPPORT LIEN DOCKET. The
2 treatment of sections 21.49 (2) (e), 36.11 (6) (b), 36.25 (14), 36.34 (1) (b), 39.30 (2) (e),
3 39.38 (2) (by SECTION 912c), 39.435 (6), 39.44 (4), 39.47 (2m), 45.25 (4) (b) (intro.) and
4 2., 45.356 (6) (intro.) and (b), 45.396 (6) (intro.) and (b), 45.74 (6) (intro.) and (b),
5 49.855 (7), 145.245 (5m) (b), 234.04 (2), 234.49 (1) (c), 234.59 (3) (c), 234.65 (3) (f),
6 234.83 (2) (a) 3., 234.90 (3) (d) and (3g) (c), 234.905 (3) (d), 281.65 (8) (L) and 949.08
7 (2) (g) of the statutes and the repeal of section 49.854 (2) (e) of the statutes take effect
8 on the date stated in the notice published by the department of workforce
9 development in the Wisconsin Administrative Register under section 49.854 (2) (e)
10 of the statutes, as created by this act, or on the effective date of this subsection,
11 whichever is later.

12 (6xt) ADULT WORKFORCE INVESTMENT PROGRAMS. The treatment of sections 71.07
13 (2dj) (am) 1., 71.28 (1dj) (am) 1., 71.47 (1dj) (am) 1., 106.15 (1) (b), (c) and (d), (3)
14 (intro.), (4), (5) (intro.) and (7), 560.63 (4) and 560.737 (1) (b) of the statutes and the
15 amendment of section 106.11 (by SECTION 2005m) of the statutes take effect on
16 July 1, 2000, or on the day after publication, whichever is later.

17 (6xu) YOUTH WORKFORCE INVESTMENT PROGRAMS. The treatment of section 106.11
18 (2) of the statutes, the renumbering of section 106.11 (1) of the statutes and the
19 amendment of section 115.28 (24) (by SECTION 2040d) of the statutes take effect on
20 April 1, 2000, or on the day after publication, whichever is later.

21 (7yo) CUSTODY AND PHYSICAL PLACEMENT IN ACTIONS AFFECTING THE FAMILY.

22 (a) The treatment of sections 20.921 (2) (a), 66.184, 102.27 (2) (a) (by SECTION
23 2002c), 120.13 (2) (g), 565.30 (5m) (a) (by SECTION 3025pa), 632.897 (10) (a) 3.,
24 767.045 (1) (a) 2., (am) and (e) and (4m), 767.078 (1) (a) 1. and (2), 767.11 (12) (b),
25 767.115 (title) and (4), 767.23 (1) (a), (am), (c) and (k) and (1n), 767.24 (1), (1m), (2)

1 (a), (am), (b) and (c), (4) (c) and (5) (intro.), (a), (bm), (cm), (dm), (em), (fm), (g) and
2 (jm), 767.242, 767.25 (1) (intro.), (1m) (b) and (c), (4m) (b), (5) and (6) (intro.), 767.253,
3 767.254 (2) (intro.), 767.261 (intro.), 767.265 (1) (by SECTION 3055c), (3h), (4) and (6)
4 (a), (b) and (c), 767.267 (1), 767.29 (1m) (intro.), 767.295 (2) (a) (intro.) and (c), 767.303
5 (1) (by SECTION 3065cf), 767.32 (1) (b) 4. and (2m), 767.325 (2m), (5m) and (6m),
6 767.327 (4) and (5m), 767.45 (7), 767.455 (6), 767.477 (1) and (2), 767.51 (3), (3m), (3r),
7 (4), (4g), (4m), (5), (5d) and (5p), 767.53 (intro.), (1) (intro.) and (3), 767.62 (4) and
8 (4m), 802.12 (3) (d) 1. and 3., 808.075 (4) (d) 11. and 948.22 (7) (bm) of the statutes,
9 the renumbering and amendment of section 767.24 (4) (a) of the statutes and the
10 creation of section 767.24 (4) (a) 3. of the statutes and SECTION 9357 (9yo) of this act
11 take effect on the first day of the 7th month beginning after publication.

12 (b) The treatment of section 767.303 (1) (by SECTION 3065cg) of the statutes
13 takes effect on the date stated in the notice published by the secretary of
14 transportation in the Wisconsin Administrative Register under section 85.515 of the
15 statutes, or on May 1, 2001, whichever is earlier.

16 **SECTION 9458. Effective dates; other.**

17 (2x) HUMAN BIOLOGICAL SPECIMENS FOR DEOXYRIBONUCLEIC ACID ANALYSIS. The
18 treatment of sections 973.046 (1) (intro.), (a) and (b) and (1g) and 973.047 (1) (a) and
19 (b) of the statutes and SECTION 9358 (5x) of this act take effect on January 1, 2000.

20 (2zo) COMPLIANCE OF PLAT WITH COMPREHENSIVE PLAN. The treatment of section
21 236.13 (1) (c) of the statutes and SECTION 9358 (5zv) of this act take effect on
22 January 1, 2000.

23 (3c) INTOXICATING LIQUOR DEALERSHIPS. The treatment of section 135.066 of the
24 statutes, the renumbering and amendment of section 135.02 (3) of the statutes and

1 the creation of section 135.02 (3) (b) of the statutes of this act take effect retroactively
2 to October 1, 1998.

3 (4m) JUSTICE INFORMATION FEE; ALLOCATION CHANGES. The treatment of sections
4 20.505 (1) (ja) (by SECTION 517e) and 20.680 (2) (j) (by SECTION 605d) of the statutes
5 takes effect on July 1, 2000.

6 (5g) DISPOSAL OF RECORDS CONTAINING PERSONAL INFORMATION. The creation of
7 section 895.505 of the statutes takes effect on the first day of the 4th month beginning
8 after publication.

9 (6g) TALENT INCENTIVE GRANTS; WISCONSIN HIGHER EDUCATION GRANTS TO
10 UNIVERSITY OF WISCONSIN SYSTEM STUDENTS. The treatment of section 20.235 (1) (fd)
11 and (fe) of the statutes takes effect on July 1, 2000.

12 (END)